

PROCEEDINGS

PUBLIC HEARING

BE IT RESOLVED, pursuant to Title C, Sections 2 and 3 of the Rome Charter Laws, the Common Council of the City of Rome, New York does hereby authorize the City Clerk to advertise notice of a public hearing pertaining to an amendment to the Rome Code of Ordinances, Chapter 46, Article V, Section 144, relative to freezing the compensation paid to employees and officers of the City of Rome for fiscal year 2009, said public hearing to be held on the 14th day of January, 2009, at 7:20pm, in the Common Council Chambers, City Hall, Rome, New York, at which time and place all interested persons will be heard thereon.

Louise S. Glasso, CMC
City Clerk

Rome Sentinel Co.
To Appear: January 6, 2009
Dated: December 11, 2008
One (1) time
Speakers: None

♦ ♦ ♦

PROCEEDINGS

PUBLIC HEARING

BE IT RESOLVED, pursuant to Title C, Sections 2 and 3 of the Rome Charter Laws, the Common Council of the City of Rome, New York does hereby authorize the City Clerk to advertise notice of a public hearing pertaining to an amendment to the Rome Code of Ordinances, Chapter 2, Division 1, Section 236, relative to freezing the compensation paid to the Mayor of the City of Rome for fiscal year 2009, said public hearing to be held on the 14th day of January, 2009, at 7:25 p.m., in the Common Council Chambers, City Hall, Rome, New York, at which time and place all interested persons will be heard thereon.

Louise S. Glasso, CMC
City Clerk

Rome Sentinel Co.
To Appear: January 6, 2009
Dated: December 11, 2008
One (1) time
Speakers:
Leonard Summa – 1517 Bedford St.

♦ ♦ ♦

**COMMON COUNCIL MEETING
REGULAR SESSION**

**JANUARY 14, 2009
7:30PM**

PRESENT: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

PLEDGE OF ALLEGIANCE

INVOCATION by President Mazzaferro

GENERAL PUBLIC HEARING

Joe Sallustio – 1212 N. James St. – Legislation was required to rename Bellamy Park, Veterans Park & Griffio Square. Why was the rink at Kennedy Arena renamed with following the same procedure? The local law on the agenda pertaining to windmills does not make sense. In my opinion it is against alternate energy systems which infringes on my rights.

Art Pierce – 339 Nassau St. – Representing the Capital Theatre, there is a parking problem on W. Dominick St. especially when there is an event at the theatre. We need to make more use of the parking garages.

Ron Crever – Thanking members of the council for supporting “Bikes for Kids”

Sally Pratt – 1801 N. James St. – City did an excellent job of clearing the snow on the corner of Olive St. & James St.

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Casadei, seconded by Sparace that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

Residents of the 1st ward opposing the placement of the Mohawk Trail along or parallel to Harding Blvd corridor.

B. COMMUNICATIONS.

Justin Gualtieri notified City Clerk's office of his application for liquor license for Property located at 106 D'Angelo Ave., Rome, NY (Received & filed)

Jervis Library's financial report for quarter ended 12/31/08 – On file City Clerk's Office

NOTICES

Members of the council to meet with Frank Tallarino regarding upgrades to the Water Filtration plant on January 14, 2009 @ 6:30pm

REPORT OF CITY OFFICIALS

Martin-Grande – Asking council to table Res. No. 12 & 13. There have been several inquiries pertaining to the proposed local law pertaining to windmills. The current City code does not address specific devices and the city needs to prepare for the future. Herkimer County has passed legislation pertaining to windmills and may be useful reference.

REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

Casadei – Recreation Dept renamed the rink at Kennedy Arena with out council legislation. There is a group of individuals that feel they own the arena and do not have to comply. Business plan for the arena has been tabled legislation long enough. The Recreation Dept. has 30 days to present a plan to the council.

City council has committees that review proposed legislation this is a process that will be adhered to

Darcangelo – to Martin-Grande – There is a legislation process that allows the council & committee process to work on behalf of the taxpayer

JANUARY 14, 2009

RESOLUTION NO. 1

APPOINTING COMMISSIONER OF
DEEDS.

By Councilor Petty:

BE IT RESOLVED, by the Common Council of the City of Rome that the following individuals be and are hereby appointed Commissioner of Deeds for the City of Rome, New York, for a term to expire December 31, 2010:

Angela M. Petty
James A. Petty

and,

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JANUARY 14, 2009

JANUARY 14, 2009

RESOLUTION NO. 2

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL TO
ATTEND COURSE OF INSTRUCTION.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Captain Scott Wittmann, Sergeant Mark Liddy, and Patrolmen Jason Worth and Jason Paul of the City of Rome Police Department, be and are hereby authorized to attend a five-day instruction course entitled “Basic Snowmobile Law Enforcement Instruction”, sponsored by the New York State Office of Parks, Recreation and Historic Preservation Snowmobile Unit, to be held in the Central New York area (at a location to be announced) on January 25 and 30, 2009. The cost for attendance is \$35.00 per person, which includes instruction, lodging and meals.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JANUARY 14, 2009

JANUARY 14, 2009

RESOLUTION NO. 3

AUTHORIZING CITY OF ROME
SUPERINTENDENT OF PUBLIC WORKS
TO ATTEND SOFT WATER
HYDRAULIC MODELING SEMINAR.

By Councilor Vescio:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Ernest Conover, Superintendent of Public Works for the City of Rome, be and is hereby authorized to

attend a two-day course entitled “H2OMAP Training Course”, sponsored by MWH Soft of Arcadia, California, to be held at the offices of O’Brien & Gere in Syracuse, New York on January 20 and 21, 2009. The cost for attendance includes a registration fee of \$1,250.00.

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JANUARY 14, 2009

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JANUARY 14, 2009

RESOLUTION NO. 4

AUTHORIZING CITY OF ROME
DEPARTMENT OF PARKS &
RECREATION PERSONNEL TO
ATTEND TRAINING PROGRAM.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Carol Alarie of the Department of Parks and Recreation for the City of Rome, be and is hereby authorized to attend a two-day training course entitled “Professional Farmers Market Manager Training Program”, sponsored by the New York State Farmers’ Market Federation, to be held in Schenectady, New York on March 5 – 7, 2009. The cost for attendance includes a training registration fee of \$100.00, plus accommodations for one night, tolls and meals, for an approximate total cost of \$250.00.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JANUARY 14, 2009

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JANUARY 14, 2009

RESOLUTION NO. 5

AUTHORIZING CITY OF ROME
DEPARTMENT OF PUBLIC WORKS
PERSONNEL TO ATTEND
TRAINING PROGRAM.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Tony Nash, Assistant Superintendent of the Department of Public Works, as well as William Tallarino, Labor Foreman, be and are hereby authorized to attend a training course entitled “How to Supervise People”, to be held in Syracuse, New York on January 30, 2009. The cost for attendance includes a training registration fee of \$79.00 per person, plus lunch, mileage and toll reimbursement.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JANUARY 14, 2009

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JANUARY 14, 2009

RESOLUTION NO. 6

AUTHORIZING THE MAYOR TO
ENTER INTO AN
INTER-MUNICIPAL AGREEMENT
WITH THE ONEIDA COUNTY
DEPARTMENT OF SOCIAL SERVICES.

By Councilor Petty:

WHEREAS, City of Rome Treasurer
John Nash and Chief Code Enforcement

Officer Mark Domenico have recommended that the City of Rome enter into an agreement for housing inspection services for Social Services clients with the Oneida County Department of Social Services, and

WHEREAS, said agreement shall allow the City of Rome, through its Code Enforcement Office, to participate in a Housing Improvement Program sponsored by the Oneida County Department of Social Services, which program strives to improve the quality, affordability and adequacy of housing for Social Services clients in the City of Rome, and

WHEREAS, through the aforesaid agreement the County of Oneida shall reimburse the City of Rome in a total amount not to exceed \$122,325.00, for the term of this Agreement, with the responsibility of the City of Rome not to exceed \$40,775.00, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that it does hereby authorize the Mayor of the City of Rome to enter into an agreement with the Oneida County Department of Social Services from January 1, 2009 to December 31, 2009, to provide housing inspection services for Social Services clients, and

BE IT FURTHER RESOLVED, that the City of Rome shall be reimbursed by the County of Oneida in a total amount not to exceed \$122,325.00, with the responsibility of the City of Rome not to exceed \$40,775.00, for the term of this agreement, from January 1, 2009 to December 31, 2009.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JANUARY 14, 2009

JANUARY 14, 2009

RESOLUTION NO. 7

AUTHORIZING THE MAYOR TO
ENTER INTO AN AGREEMENT
WITH THE ROME INDUSTRIAL
DEVELOPMENT CORPORATION.

By Councilor Vescio:

BE IT RESOLVED, that the annual budget of the City of Rome has appropriated the sum of \$40,000.00 as the amount to be used in consideration of an agreement to be entered into between the City of Rome and the Rome Industrial Development Corporation, hereinafter referred to as "R.I.D.C.", providing for industrial development efforts, and

BE IT FURTHER RESOLVED, that the City Treasurer is hereby authorized and directed to make payment or payments to R.I.D.C. upon demand and presentation of a properly executed claim or claims, and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute an appropriate agreement between the City of Rome and R.I.D.C. relative to the industrial development services provided to the City of Rome by R.I.D.C., conditioned upon R.I.D.C. agreeing to furnish to the Rome City Treasurer and Common Council a quarterly statement of its operating income and expenses on or before the 15th day of the month following the end of each quarter.

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JANUARY 14, 2009

JANUARY 14, 2009

RESOLUTION NO. 8

AUTHORIZING THE MAYOR TO
ENTER INTO AN
AGREEMENT WITH THE JERVIS
PUBLIC LIBRARY ASSOCIATION.

By Councilor Sparace:

BE IT RESOLVED, that the City of Rome shall enter into an agreement with the Jervis Public Library Association for the year 2009 with consideration to be in the amount of \$538,175 for the provision of services to the City of Rome and that the Treasurer be authorized to pay the sum of \$134,543.75 in quarterly installments, upon presentation of a properly executed vendor's claim, and quarterly financial statements, and that the Common Council shall also receive quarterly financial statements, and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute an appropriate agreement with the Jervis Library Association relative to the services provided to the City of Rome by the Jervis Library Association.

Seconded by Councilor Varano

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JANUARY 14, 2009

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JANUARY 14, 2009

RESOLUTION NO. 9

AUTHORIZING THE MAYOR TO
ENTER INTO AN AGREEMENT
PROVIDING FUNDS FOR THE SENIOR
CITIZENS COUNCIL.

By Councilor Smith:

WHEREAS, the Senior Citizens Council of Rome, New York, Inc., has requested that the Common Council provide funding in consideration of the assistance of local recreational programs for senior citizens by the above named group, and

WHEREAS, the Common Council feels that such a program will serve a useful and helpful purpose and will be in the best interests of the City of Rome, and

WHEREAS, the City of Rome by this Resolution does express its intention to cooperate with the program and has appropriated the sum of \$66,500.00 for 2009, which sum shall be made available in quarterly installments from the proper Recreational Department accounts, now, therefore,

BE IT RESOLVED, that the Mayor be and is hereby authorized to apply for a partial reimbursement of funds so expended on such program from the proper state agency as provided by state law, and

BE IT FURTHER RESOLVED, that the Mayor be and is hereby authorized to enter into an agreement to provide a sum of \$66,500.00 for the assistance of local programs for senior citizens as directed by the 2009 budget, and that the Treasurer be authorized to disburse such funds in quarterly installments of \$16,625.00, upon the presentation of a properly executed vendor's claim, and

BE IT FURTHER RESOLVED, that commencing April 1, 2009, the Senior Citizens Council shall submit quarterly financial reports to the Common Council of the City of Rome.

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JANUARY 14, 2009

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JANUARY 14, 2009

RESOLUTION NO. 10

AUTHORIZING A CONTRACT
BETWEEN THE CITY OF ROME
AND THE HUMANE SOCIETY
OF ROME, INC.

By Councilor Casadei:

WHEREAS, the City of Rome and the Humane Society of Rome, Inc., currently enjoy a relationship whereby the Humane Society of Rome provides certain services to the City in connection with the care and feeding of abandoned, lost and unwanted pets at its shelter on Lamphear Road, and

WHEREAS, the City and the Humane Society desire to continue said relationship and set forth their respective rights and responsibilities in regard to this relationship in the form of a written contract, now, therefore,

BE IT RESOLVED, that the Mayor be and is hereby authorized to enter into a contract with the Humane Society of Rome, Inc., relative to the care and feeding of abandoned, lost and unwanted pets at the Humane Society's animal shelter located on Lamphear Road and the services provided therefrom, and

BE IT FURTHER RESOLVED, that the Mayor of the City of Rome be and is hereby authorized to enter into an agreement with the Humane Society of Rome, Inc., relative to the care and feeding of abandoned, lost and unwanted pets at the Humane Society's animal shelter, in the sum of \$35,750.00, as directed by the 2009 budget.

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith,

Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JANUARY 14, 2009

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JANUARY 14, 2009

RESOLUTION NO. 11

AUTHORIZING THE MAYOR TO
ENTER INTO AN AGREEMENT
WITH THE ROME CEMETERY
ASSOCIATION FOR CARE OF
THE CITY OF ROME
PLOT DURING 2009.

By Councilor Casadei:

BE IT RESOLVED, that the Mayor of the City of Rome is hereby authorized to enter into an agreement with the Rome Cemetery Association for the care of the City of Rome plot during the year 2009 for the annual consideration of \$2,400.00.

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JANUARY 14, 2009

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JANUARY 14, 2009

RESOLUTION NO. 12 TABLED

AUTHORIZING THE MAYOR OF THE
CITY OF ROME TO EXECUTE
AN AGREEMENT WITH THE STANWIX
HEIGHTS VOLUNTEER
FIRE DEPARTMENT, INC.

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JANUARY 14, 2009

RESOLUTION NO. 13 TABLED

AUTHORIZING THE MAYOR OF THE
CITY OF ROME TO ENTER INTO AN
AGREEMENT WITH THE LAKE DELTA
VOLUNTEER FIRE DEPARTMENT, INC.

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JANUARY 14, 2009

RESOLUTION NO. 14

AUTHORIZING THE MAYOR TO
ENTER INTO AN AGREEMENT
PROVIDING FUNDS FOR THE
MOHAWK VALLEY COMMUNITY
ACTION AGENCY, INC. RUNAWAY &
HOMELESS YOUTH PROGRAM.

By Councilor Petty:

WHEREAS, the Mohawk Valley Community Action Agency, Inc., "Runaway & Homeless Youth Program" has requested that the Common Council provide an appropriation of funds for the benefit of providing emergency short-term residential and non-residential care to youth of the City of Rome, and

WHEREAS, the purpose of said program is to provide twenty-four hour services to youth of the community, with the goal of assisting families to rectify difficulties they are experiencing so that youth and family can stay together, and

WHEREAS, the Common Council believes that such a program will serve a useful and helpful purpose in the community, and

WHEREAS, the City of Rome by this resolution does express its intention to cooperate with this program and has appropriated the sum of \$2,500.00 for the year 2009, now, therefore,

BE IT RESOLVED, that the Mayor of the City of Rome be and is hereby authorized to enter into an agreement with the Mohawk Valley Community Action Agency, Inc., Runaway & Homeless Youth Program for the benefit of providing emergency short-term residential and non-residential care to youth in the City of Rome in the sum of \$2,500.00 as directed by the 2009 budget.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JANUARY 14, 2009

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JANUARY 14, 2009

RESOLUTION NO. 15

AUTHORIZING THE MAYOR TO
ENTER INTO AN AGREEMENT WITH
AN AUDITING FIRM OR CERTIFIED
PUBLIC ACCOUNTANT FOR 2009.

By Councilor Vescio:

WHEREAS, Section 93 Title A of the City Charter Laws provides that the Common Council shall enter into an agreement for each fiscal year with a certified public accountant or firm of accountants for a continuous audit of the City's financial operations for such year, now, therefore,

BE IT RESOLVED, that the City of Rome shall enter into an agreement with the firm of D'Arcangelo & Co. for the year 2009 in the amount of \$73,200.00, and the City Treasurer be and is hereby authorized and directed to pay the sum of approximately \$6,100.00 in monthly installments, upon presentation of a properly executed vendors claim, and

BE IT FURTHER RESOLVED, the total sum of \$73,200.00 to be paid to D'Arcangelo & Co. for the year 2009 shall be broken down as follows:

Auditing : \$65,700.00
Community Development:
\$7,500.00

and,

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute the necessary agreement.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Casadei, Vescio

NAYS: None

ABSTAINED: Darcangelo

ADOPTED: JANUARY 14, 2009

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JANUARY 14, 2009

RESOLUTION NO. 16

**AUTHORIZING QUARTERLY
PAYMENTS TO THE ROME ART AND
COMMUNITY CENTER BY THE
CITY TREASURER.**

By Councilor Smith:

WHEREAS, the Rome City Budget for 2009 contains a total appropriation of \$50,350.00 for the operation and maintenance of City owned property commonly known as the Rome Art & Community Center, located at 310 West Bloomfield Street, Rome, New York, by the nonprofit organization known as the Rome Art and Community Center, now, therefore,

BE IT RESOLVED, that quarterly payments in the sum of \$12,587.50 each be made to the Rome Art and Community Center for operation and maintenance during the year 2009, said payments to be made by

the City Treasurer upon presentation of a properly executed vendor's claim and upon the receipt by the City Treasurer of a quarterly financial statement of said Rome Art & Community Center setting forth receipts, expenditures and any unexpended balances, and that the Common Council shall receive copies of said quarterly financial statements, and

BE IT FURTHER RESOLVED, that the Mayor be and is hereby authorized to enter into an agreement incorporating the aforesaid terms and conditions for the year 2009.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JANUARY 14, 2009

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JANUARY 14, 2009

RESOLUTION NO. 17

**AUTHORIZING THE MAYOR TO
ENTER INTO AN AGREEMENT WITH
THE CAPITOL CIVIC CENTER.**

By Councilor Casadei:

WHEREAS, the Rome City Budget for 2009 contains a total appropriation of \$19,000.00 to assist in the operation and maintenance of The Capitol Civic Center, Rome, New York, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the Mayor of the City of Rome be and is hereby authorized to enter into an agreement with the Capitol Civic Center for the allocation of an appropriation in the amount of \$19,000.00 for the year 2009, and that the Treasurer be authorized to disburse such funds in quarterly installments of \$4,750.00,

upon the presentation of a properly executed vendor's claim, and upon the receipt by the City Treasurer of an annual financial statement of the Capitol Civic Center, and that the Rome Common Council shall receive a copy thereof.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JANUARY 14, 2009

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JANUARY 14, 2009

RESOLUTION NO. 18

AUTHORIZING THE MAYOR TO
ENTER INTO AN
AGREEMENT WITH THE ROME
HISTORICAL SOCIETY.

By Councilor Casadei:

WHEREAS, the annual budget of the City of Rome has appropriated the sum of \$49,400.00 as the amount to be used in consideration of an agreement between the City of Rome and the Rome Historical Society, and

WHEREAS, the City of Rome and the Rome Historical Society agree that payment shall be made on a quarterly basis, now, therefore,

BE IT RESOLVED, that the City Treasurer be and is hereby authorized and directed to make payments to the Rome Historical Society of \$12,350.00 each quarter upon presentation of a properly executed vendor's claim and quarterly financial statements, and that the Common Council shall also receive the quarterly financial statements, and

BE IT FURTHER RESOLVED, that

the Mayor is hereby authorized to execute an appropriate agreement with the Rome Historical society relative to the services provided to the City of Rome by the Rome Historical Society.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JANUARY 14, 2009

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JANUARY 14, 2009

RESOLUTION NO. 19

AUTHORIZING THE MAYOR TO
ATTEND VARIOUS CONFERENCES
DURING THE YEAR 2009.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, the Mayor of the City of Rome be and is hereby authorized to attend various conferences and meetings as deemed necessary, reasonable and of benefit to said City during the calendar year 2009, and

BE IT FURTHER RESOLVED, that this authorization is contingent upon the Mayor providing the Common Council with bi-annual reports setting forth conferences attended by the Mayor pursuant to this authorization.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JANUARY 14, 2009

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JANUARY 14, 2009

RESOLUTION NO. 20

DESIGNATING OFFICIAL RADIO
STATION FOR THE CITY OF
ROME, NEW YORK.

By Councilor Smith:

BE IT RESOLVED, that Radio Station WIBX be and the same is hereby designated as the official radio station of the City of Rome for the year 2009.

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JANUARY 14, 2009

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JANUARY 14, 2009

RESOLUTION NO. 21

DESIGNATING THE ROME DAILY
SENTINEL AS THE OFFICIAL
NEWSPAPER OF THE CITY OF ROME.

By Councilor Casadei:

BE IT RESOLVED, that the Rome Daily Sentinel be and is hereby designated as the official newspaper of the City of Rome for the year 2009.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JANUARY 14, 2009

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JANUARY 14, 2009

RESOLUTION NO. 22

ACCEPTING DONATIONS FROM
LOCAL INDIVIDUALS AND
BUSINESSES FOR THE CITY CLERK'S
4TH ANNUAL "WHO LET THE DOGS
OUT EVENT" TO BE HELD ON JULY
18, 2009, WITH A RAIN
DATE OF JULY 19, 2009.

By Councilor Vescio:

WHEREAS, the Rome City Clerk's Office, in conjunction with the City's Department of Parks and Recreation, are planning to utilize the Joseph A. Griffo Center Square located adjacent to Rome City Hall, for the 4th Annual "Who Let the Dogs Out Event", to be held on Saturday, July 18, 2009, with a rain date of Sunday, July 19, 2009, and

WHEREAS, the events planned include judging dogs that are brought in by youngsters in the City, with prizes to be presented in several different categories, and in conjunction therewith, several individuals and businesses have approached the City Clerk's Office with donations to be used as prizes for this event,

WHEREAS, pursuant to Rome City Charter Laws-Title A, §25(3), the City of Rome has the power to accept gifts and/or donations upon such terms as may be prescribed by the grantor and/or donor, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the donations of goods, services or money, donated by individuals and/or businesses, to be used in support of the City of Rome's 4th Annual "Who Let the Dogs Out Event", to be held on Saturday, July 18, 2009, with a rain date of Sunday, July 19, 2009, from 10:00 a.m. to 1:00 p.m. at the Joseph A. Griffo Center Square, located

adjacent to Rome City Hall, be and are hereby accepted by the Common Council on behalf of the citizens of the City of Rome, and

BE IT FURTHER RESOLVED, that the Common Council hereby expresses its thanks and appreciation to all individuals and/or businesses that support this worthwhile community activity.

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JANUARY 14, 2009

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JANUARY 14, 2009

RESOLUTION NO. 23

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL TO
ATTEND INSTRUCTOR
DEVELOPMENT CLASS.

By Councilor Sparace:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Detective Commander Tim Bates, Patrolmen Frank Fragapane and Cheyenne Schoff of the City of Rome Police Department, be and are hereby authorized to attend a two-week course entitled "Police General Topics Instructor Course", to be presented by the Mohawk Valley Police Academy, to be held at Mohawk Valley Community College, on January 19 through January 30, 2009. There is no cost for attendance at this course of instruction, with lunch reimbursement in the amount of \$150.00 to be the only expense.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,

Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JANUARY 14, 2009

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JANUARY 14, 2009

RESOLUTION NO. 24

AUTHORIZING CITY OF ROME
TREASURER AND DEPUTY
TREASURER TO ATTEND
CONFERENCE.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, John A. Nash, City Treasurer and Pasquale Lisandrelli, Deputy Treasurer for the City of Rome, be and are hereby authorized to attend the New York State Government Finance Officers' Association, Inc.'s 30th Annual Conference, to be held in the Albany, New York on April 1 – April 3, 2009. The estimated cost for attendance will be approximately \$900.00.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JANUARY 14, 2009

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JANUARY 14, 2009

RESOLUTION NO. 25

AUTHORIZING THE MAYOR TO
ENTER INTO AN
INTER-MUNICIPAL AGREEMENT
WITH ONEIDA COUNTY
THROUGH THE JUVENILE FIRE
SETTERS PROGRAM FOR
FISCAL YEAR 2009.

By Councilor Smith:

JANUARY 14, 2009

WHEREAS, Fire Chief Roger Sabia of the City of Rome, New York Fire Department has recommended that the City of Rome enter into an inter-municipal agreement with Oneida County as part of the Oneida County Juvenile Fire Setters Program, and

WHEREAS, said agreement shall allow the City of Rome, through its Fire Department, to participate with the Oneida County Emergency Services Department, said program being the County-wide effort to identify and evaluate individual juvenile fire setters and to provide appropriate counseling to address correcting this behavior, and

WHEREAS, through the aforesaid agreement the County of Oneida shall reimburse the City of Rome up to the sum of Twenty-two Thousand and 00/100 Dollars (\$22,000.00), now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that it does hereby authorize the Mayor of the City of Rome to enter into an inter-municipal agreement with Oneida County for the time period of January 1, 2009 through December 31, 2009, whereby the County of Oneida shall reimburse the City of Rome up to the sum of Twenty-two Thousand and 00/100 Dollars (\$22,000.00).

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JANUARY 14, 2009

♦

RESOLUTION NO. 26

AUTHORIZING THE MAYOR TO
ENTER INTO AN INTER-MUNICIPAL
AGREEMENT WHEREBY THE CITY OF
ROME WILL PROVIDE
AIRCRAFT RESCUE FIRE FIGHTING
SERVICES AT THE GRIFFISS
INTERNATIONAL AIRPORT.

By Councilor Sparace:

WHEREAS, the Common Council of the City of Rome, pursuant to Resolution No. 110 adopted August 13, 2008, previously authorized the Mayor of the City of Rome to enter into an intermunicipal agreement with Oneida County whereby the City of Rome would provide Aircraft Rescue Fire Fighting Services for the time period of March 1, 2008 through February 28, 2009, and

WHEREAS, following further discussion between the parties, it is the opinion of both the City and the County that the aforesaid agreement should be modified to more accurately reflect the terms and conditions agreed to, now, therefore,

BE IT RESOLVED, that through the aforesaid agreement the City of Rome agrees to provide Aircraft Rescue Fire Fighting ("ARFF") services to the Oneida County Griffiss Airfield now known as the Griffiss International Airport for aircraft/airfield associated emergencies, and

BE IT FURTHER RESOLVED, that the County agrees to pay for the Rome Fire Department's participation in annual "Hot Fire Drills" and shall pay for any overtime expenses incurred by the Rome Fire Department as a result of such participation, commencing for training conducted in 2008 and subsequent years covered by the Agreement, and

BE IT FURTHER RESOLVED, that the term of this agreement shall begin on March 1, 2008 and end on the fifth anniversary of such date, with any renewals of this agreement beyond the original term hereof to be mutually agreed upon in writing between the parties.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JANUARY 14, 2009

♦

JANUARY 14, 2009

RESOLUTION NO. 27A

AUTHORIZING A PUBLIC HEARING
REGARDING THE IMPOSITION
OF A MORATORIUM ON THE
INSTALLATION, PLACEMENT AND
CONSTRUCTION OF WIND TURBINES
AND OTHER ALTERNATIVE ENERGY
SYSTEMS IN THE CITY OF ROME.

By Councilor Smith:

BE IT RESOLVED, that the Common Council of the City of Rome does hereby authorize the City Clerk of the City of Rome to advertise notice of a public hearing concerning the imposition of a moratorium on the installation, placement and construction of wind turbines and other alternative energy systems within the City of Rome, and

BE IT FURTHER RESOLVED, that a public hearing is required pursuant to Municipal Home Rule Law Section 20, and

BE IT FURTHER RESOLVED, that the public hearing is to be held on the 28th day of January, 2009 at 7:20pm, in the Common Council Chambers, City Hall, Rome, New York, at which time all

interested persons will be heard thereon.

Seconded by Councilor Petty

Motion to Amend to insert date & time by Smith, seconded by Petty and so ordered January 14, 2009

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JANUARY 14, 2009

♦

JANUARY 14, 2009

ORDINANCE NO. 8466

AUTHORIZING THE CITY OF ROME TO
ENTER INTO A LEASE AGREEMENT
WITH THE ROME ART & COMMUNITY
CENTER FOR CITY OWNED
PROPERTY LOCATED AT 308 WEST
BLOOMFIELD STREET,
ROME, NEW YORK.

By Councilor Smith:

WHEREAS, Frank D. Tallarino, Jr., Commissioner of Public Works for the City of Rome, has recommended that the City of Rome enter into an agreement with the Rome Art & Community Center, whereby the City of Rome shall lease to the Rome Art & Community Center the City owned property located at 308 West Bloomfield Street, for a lease term of January 1, 2009 through December 31, 2009, and

WHEREAS, Rome City Charter Laws, Title A, Article IV, Section 33, states that all leases of city property shall be approved by the City of Rome Common Council, now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome that the Mayor of the City of Rome is authorized to execute an agreement with the Rome Art &

Community Center, to lease to said entity the premises known as 308 West Bloomfield Street, Rome, New York, for a lease term from January 1, 2009 through December 31, 2009.

Seconded by Councilor Petty
By Councilor Casadei

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8466

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8466

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ADOPTED: JANUARY 14, 2009

♦

JANUARY 14, 2009

ORDINANCE NO. 8467

AUTHORIZING THE ROME CITY
CLERK TO PUBLISH PUBLIC NOTICE
PERTAINING TO LOST OR
ABANDONED BICYCLES IN THE
POSSESSION OF THE ROME POLICE
DEPARTMENT AND WAIVING ROME
CODE OF ORDINANCES
SECTION 2-384
IN REGARD TO THE SALE OF THE
SURPLUS BICYCLES

By Councilor Smith:

WHEREAS, pursuant to New York State Personal Property Law (hereinafter "PPL") §253, the Rome Police Department is charged with the responsibility of receiving and storing lost property found

within the City of Rome, New York, and

WHEREAS, pursuant to New York State PPL §251(1) & (3) "lost property" includes lost, mislaid or abandoned tangible personal property where said property is not claimed for at least six (6) months, and

WHEREAS, in the course of the last twenty-four (24) months, the Rome Police Department has received and stored lost property, consisting of ninety-six (96) lost or abandoned bicycles, hereinafter referred to as "Property", and

WHEREAS, the Rome Police Department has estimated the value of each of the bicycles to be less than seventy-five dollars (\$75.00), meaning, pursuant to PPL §253(7), that the Property has only salvage value and the Rome Police Department need only store the Property for three (3) months, and

WHEREAS, by storing the Property a minimum of twelve (12) months, the Rome Police Department has stored the Property for longer than the required retention period, and said Property has not been claimed by any person, including any owner or finder, thereby allowing the Property to be disposed of as set forth at PPL §§253(5) & (8), and

WHEREAS, under PPL §253(8), in order to properly effectuate the sale of the Property, the Rome Police Department must notify any person asserting rights to any lost bicycle as owner, finder or under any other claim, that failure to exercise said right will permit the City of Rome to sell the Property as provided for at PPL §253(5), and

WHEREAS, under PPL §253(5), because the Property has only salvage value, the Rome Police Department may sell the Property in such a manner reasonable under the circumstances, and

WHEREAS, any Property not

obtained by an owner, finder or other person having claim to said Property and in the event said Property is unsuitable for City use, the City may deem said Property “surplus property” under §2-384 of the Rome Code of Ordinances, and

WHEREAS, pursuant to Rome Code of Ordinances §2-384(c)(2), surplus property having a value of less than five hundred dollars (\$500.00) may be disposed of by sale in the open market, upon public notice of the sale to be published in the official newspaper, at least seven (7) days prior to the sale, and

WHEREAS, Ronald Crever operates a charitable not-for-profit organization called “Bikes for Kids” in the City of Rome, that obtains and repairs used and junked bikes, which are then donated to children throughout the City of Rome, and

WHEREAS, Chief Kevin Beach of the Rome Police Department, is of the opinion that the best interests of the City of Rome and its citizens are furthered by the sale of the surplus lost bicycles to the not-for-profit organization “Bikes for Kids”; therefore, warranting the waiver of the procedures of Rome Code §2-384(c)(2) and deeming a direct sale of the surplus lost bicycles to “Bikes for Kids” reasonable under New York State Personal Property Law §253(5), now, therefore,

BE IT ORDAINED, by the City of Rome Common Council that the City Clerk be and hereby is authorized to issue public notice to be published in the official newspaper of the City of Rome that lost property, consisting of lost or abandoned bicycles, will be sold via direct sale to “Bikes for Kids” within fourteen (14) days of said publication. The publication shall further advise that only those persons in possession of the following Rome Police Department receipts, may assert a claim of ownership as finder of the applicable lost bicycle: Receipt Numbers as outlined per the four-page listing attached hereto and by this reference made a part hereof, and that failure

to assert a claim of ownership within said fourteen (14) day period will be deemed a waiver of the rights of ownership and will permit the City of Rome to sell the applicable bicycle via direct sale, and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome, New York, that the rules and regulations for the sale of surplus property as set forth in the Rome Code of Ordinances §2-384(c)(2), be and are hereby waived for the sale of any surplus lost bicycles not obtained by persons with legitimate rights as owners, finders or other claims of ownership, as evidenced by a Rome Police Department receipt, and

BE IT FURTHER ORDAINED, that, upon the expiration of fourteen (14) days from the date of publication of said notice, the Board of Estimate & Contract may approve the sale of the surplus property to Ronald Crever of “Bikes for Kids” in the City of Rome, under the express condition that said bicycles not be sold for profit or gain, and under such other terms and conditions as the Board of Estimate & Contract deems appropriate.

Seconded by Councilor Petty

By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No.8467

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8467

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ADOPTED: JANUARY 14, 2009

21026		27959	
21172	27616	27968	
21411	27617	27972	
24468	27618	27980	
	27619	28009	
25246	27644	28010	
25736	27663	28022	
25873	27665	28037	
25909	27669	28044	
26300	27693	28084	
26518	27739	28111	
26565	27740	28152	
	27746	28160	
26772	27756	28176	
26797	27761	28192	
26892	27774	28199	28355
26948	27783	28209	28367
27187	27784	28221	28367
27271	27787	28225	28384
	27791	28225	28525
27324	27791	28226	28525
27337	27805	28233	28542
27497	27827	28272	28543
27534	27844	28274	28549
27550	27878	28286	28558
27587	27880	28301	28606
27605	27885	28306	28631
	27886	28311	
27605	27890	28318	
27610	27919		

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JANUARY 14, 2009

ORDINANCE NO. 8468 TABLED

AUTHORIZING THE EXPENDITURE OF
FUNDS FROM THE CAPITAL RESERVE
ACCOUNT PURSUANT TO
ROME CITY CHARTER LAWS.

♦

JANUARY 14, 2009

ORDINANCE NO. 8469

AUTHORIZING THE SUSPENSION OF
PARKING FEES APPLICABLE AT THE
LIBERTY PLAZA (LIBERTY/GEORGE
STREET) PARKING GARAGE FOR A
SET TIME PERIOD ON
JANUARY 17, 2009.

By Councilor Casadei:

WHEREAS, the Common Council of the City of Rome, New York, previously adopted parking rules and regulations pertaining to municipal parking areas, including fees for use of the municipal parking garages, within the jurisdiction of the City of Rome, and

WHEREAS, it has been recommended that the parking fees applicable to use of the Liberty Plaza (also known as the Liberty/George Street) Parking Garage be temporarily suspended on Saturday, January 17, 2009, during the hours of 6:00 p.m. to 11:00 p.m., to permit the free use of said garage by the general public during a Weed and Seed fund raising event to be held at the Capitol Theatre, now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome, New York that the best interests of the citizens of the City of Rome are furthered by waiving the parking fees applicable to use of the Liberty Plaza (Liberty/George Street) Parking Garage to permit the free use of said garage by the general public during a Weed and Seed fund raising

event to be held at the Capitol Theatre, and

BE IT FURTHER ORDAINED, that after 11:00 p.m. on January 17, 2009, the suspension of fees authorized hereby shall expire and, on said date and time, all applicable parking fees shall be in full force and effect at the Liberty Plaza (Liberty/George Street) Parking Garage, and

BE IT FURTHER ORDAINED, that a copy of this Ordinance shall be forwarded by the Rome City Clerk to Frank D. Tallarino, Jr., Commissioner of Public Works, as well as to the Capitol Theatre.

Seconded by Councilor Vescio
By Councilor Petty

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8469

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8469
AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JANUARY 14, 2009

♦

JANUARY 14, 2009

LOCAL LAW NO. A OF 2009 TABLED

IMPOSING A MORATORIUM ON THE
INSTALLATION, PLACEMENT AND
CONSTRUCTION OF WIND TURBINES
AND OTHER ALTERNATIVE ENERGY
SYSTEMS IN THE CITY OF ROME

♦

DECEMBER 10, 2008

LOCAL LAW 1 of 2009

AMENDING CHAPTER 46 ARTICLE V
SECTION 144 OF THE ROME CODE OF
ORDINANCES TO FREEZE THE
COMPENSATION OF EMPLOYEES
AND OFFICERS OF THE CITY OF
ROME AT 2008 LEVELS FOR
FISCAL YEAR 2009

By Councilor Vescio:

Whereas, certain employees and officers of the City of Rome are not represented by a collective bargaining unit, and

Whereas, said compensation of such employees and officers is governed by the provisions of Article V, Chapter 46 of the Rome Code of Ordinances, and

Whereas, the City of Rome and countless other municipalities, states and the federal government are experiencing a severe economic crisis which has most recently been deemed to be a recession, and

Whereas, it is anticipated that the City of Rome will experience significant increases in the cost of doing business coupled with the loss of state and federal aid, and a decrease in the revenue generated from sales tax, and

Whereas, in an effort to control the costs of government and to stem the adverse impact of the recession on the City of Rome, its taxpayers and employees, Mayor James F. Brown has deemed it advisable to freeze the compensation of employees and officers at the levels established for calendar year 2008, and

Whereas, the majority of the employees and officers understand the economic situation and how it impacts Rome taxpayers, and

Whereas, the majority of employees and officers agreed to participate in the freezing of their compensation at 2008 levels for the 2009 fiscal year, and

Whereas, Mayor James F. Brown recommends that Article V, Chapter 46, Section 144 be amended to provide for the freezing of compensation for employees and officers not otherwise covered by a collective bargaining agreement and fixed for fiscal year 2009 at 2008 levels, now, therefore,

BE IT ENACTED, by the Common Council of the City of Rome, New York that the Rome Code of Ordinances, Chapter 46, Article V, Section 144 be and is hereby amended as follows:

Sec. 46-144. Wages.

(a) *Employees and officers.* Employees and officers, with the exception of members of the board of estimate and contract, shall be compensated at the salary rates set forth by the City of Rome--CSEA Contract in effect for each calendar year. Employees governed by the step increment system set forth in such contract shall receive the increment applicable to their years of service.

(b) *Board of estimate and contract.* Charter members of the board of estimate and contract, whose salaries are not addressed by other sections of the Charter or this Code, shall receive a yearly cost of living adjustment, not to exceed five percent. The cost of living adjustment shall be determined in accordance with subsection 2-236(b). Members appointed to the board of estimate and contract after January 1, 1994, shall not be eligible to receive step increments as set forth in the City of Rome--CSEA Contract.

(Code 1966, § 11-93)

(c) The compensation of employees and officers governed by the provisions of this section and all mayoral appointees shall be frozen at 2008 levels for fiscal year

**2009. This provision shall expire on
December 31, 2009.**

and,

BE IT FURTHER ENACTED, by the Common Council of the City of Rome, New York that, pursuant to New York State Municipal Home Rule Law §24, this Local Law shall only become effective following the passage of forty-five (45) days from its adoption, and upon its filing with the Secretary of State.

Seconded by Councilor Darcangelo

Motion to TABLE by Petty, seconded by Varano and so ordered December 10, 2008
Motion to Remove from TABLE by Petty, seconded by Casadei and so ordered January 14, 2009

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JANUARY 14, 2009

Deleted language in **bold** print and
[brackets].

New language in **bold** print and underlined.

♦

DECEMBER 10, 2008

LOCAL LAW 2 of 2009

**AMENDING ARTICLE IV, DIVISION 1,
CHAPTER 2 OF THE ROME CODE OF
ORDINANCES TO FREEZE THE
COMPENSATION OF THE MAYOR
AT 2008 LEVELS FOR CALENDAR
YEAR 2009**

By Councilor Petty:

Whereas, the compensation of the mayor of the City of Rome is governed by the provisions of Chapter 2, Division 1, Section 236 of the Rome Code of

Ordinances, and

Whereas, the City of Rome and countless other municipalities, states and the federal government are experiencing a severe economic crisis which has most recently been deemed to be a recession, and

Whereas, it is anticipated that the City of Rome will experience significant increases in the cost of doing business coupled with the loss of state and federal aid, and a decrease in the revenue generated from sales tax, and

Whereas, in an effort to control the costs of government and to stem the adverse impact of the recession on the City of Rome, its taxpayers and employees, Mayor James F. Brown has deemed it advisable to freeze his compensation at the levels established for calendar year 2008, and

Whereas, Mayor James F. Brown recommends that Chapter 2, Division 1, Section 236 of the Rome Code of Ordinances be amended to provide for the freezing of compensation of the mayor for fiscal year 2009 at 2008 levels, now, therefore,

BE IT ENACTED, by the Common Council of the City of Rome, New York that the Rome Code of Ordinances, Chapter 2, Division 1, Section 236 be and is hereby amended as follows:

Sec. 2-236. Salary of mayor; cost-of-living increase.

(a) The common council ordains that the salary for the position of mayor be set at \$55,000.00 per year, effective January 1, 1992.

(b) The cost-of-living guidelines in this subsection shall be followed in determining any salary increase in subsequent years. A cost-of-living increase shall be added to the salary of the mayor each year under the following conditions and under the following formula:

(1) The increase shall be based on a cost-of-living index computed from May 31 of one year to May 31 of the following year. If the increase is three percent or more than the increase in salary of the mayor it shall be increased by the percentage rate of the cost-of-living index, but not more than five percent in any single year.

(2) If the cost-of-living index each year as computed in subsection (b)(1) of this section does not increase three percent, no salary increase will be allowed. However, the percentage increase during that year shall be added to the cost-of-living increase in the following year, and if the total percentage rate of the following year is three percent or over, the salary of mayor shall be increased by that percentage rate, but in no case shall exceed five percent in that year.

(3) Any salary adjustment as computed in subsections (b)(1) and (2) of this section shall be effective on January 1 of the following year.

(4) Any percentage increase in the cost-of-living index over five percent in any year shall not be cumulative or carried over to the following year.

(c) Subsection (b) of this section will be suspended during 1998 and 1999. On January 1, 1998, an increase of 2.25 percent shall be added to the salary of the mayor. On January 1, 1999, an increase of 2.75 percent shall be added to the salary of the mayor. On January 1, 2000, and each and every year thereafter section 2-236(c) will be in full force and effect for the purposes of

determining any salary increase for the mayor.

(5) For fiscal year 2009, the salary of the mayor shall be frozen at the level established for fiscal year 2008. This provision shall expire on December 31, 2009.

BE IT FURTHER ENACTED, by the Common Council of the City of Rome, New York that, pursuant to New York State Municipal Home Rule Law §24, this Local Law shall only become effective following the passage of forty-five (45) days from its adoption, and upon its filing with the Secretary of State.

Seconded by Councilor Smith

Motion to TABLE by Petty, seconded by Varano and so ordered December 10, 2008
Motion to Remove from TABLE by Petty, seconded by Casadei and so ordered January 14, 2009

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JANUARY 14, 2009

Deleted language in **bold** print and **[brackets]**.

New language in **bold** print and underlined.

♦

Motion to adjourn by Casadei, seconded by Vescio and so ordered January 14, 2009.

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♦

♦

PUBLIC NOTICE

BE IT ORDAINED, by the City of Rome Common Council that the City Clerk be and hereby is authorized to issue public notice to be published in the official newspaper of the City of Rome that lost property, consisting of lost or abandoned bicycles, will be sold via direct sale to "Bikes for Kids" within fourteen (14) days of said publication. The publication shall further advise that only those persons in possession of the following Rome Police Department receipts, may assert a claim of ownership as finder of the applicable lost bicycle: Receipt Numbers as outlined per the four-page listing attached hereto and by this reference made a part

hereof, and that failure to assert a claim of ownership within said fourteen (14) day period will be deemed a waiver of the rights of ownership and will permit the City of Rome to sell the applicable bicycle via direct sale, and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome, New York, that the rules and regulations for the sale of surplus property as set forth in the Rome Code of Ordinances §2-384(c)(2), be and are hereby waived for the sale of any surplus lost bicycles not obtained by persons with legitimate rights as owners, finders or other claims of ownership, as evidenced by a Rome Police Department receipt, and

BE IT FURTHER ORDAINED, that, upon the expiration of fourteen (14) days from the date of publication of said notice, the Board of Estimate & Contract may approve the sale of the surplus property to Ronald Crever of “Bikes for Kids” in the City of Rome, under the express condition that said bicycles not be sold for profit or gain, and under such other terms and conditions as the Board of Estimate & Contract deems appropriate.

Louise S. Glassco, CMC
City Clerk

Rome Sentinel Co.
To Appear: January 22, 2009
Dated: January 16, 2009
One (1) time

	21026			
	21172	27616	27959	
	21411	27617	27968	
	24468	27618	27972	
	25246	27619	27980	
	25736	27644	28009	
	25873	27663	28010	
	25909	27665	28022	
	26300	27669	28037	
	26518	27693	28044	
	26565	27739	28084	
	26772	27740	28111	
	26797	27746	28152	
	26892	27756	28160	
	26948	27761	28176	
28355	27774	28192		
28367	27783	28199	28355	
28367	27784	28209	28367	
28384	27787	28221	28367	
28525	27791	28225	28384	
28525	27791	28225	28525	
28525	27805	28226	28525	
28542	27827	28233	28542	
28543	27844	28272	28543	
28549	27878	28274	28549	
28558	27880	28286	28558	
28606	27885	28301	28606	
28631	27886	28306	28631	
	27890	28311		
	27919	28318		

OFFICE OF THE COMMON COUNCIL
CITY HALL – ROME, NEW YORK 13440



1ST WARD
John M. Sparace

2ND WARD
Thomas A. Varano

3RD WARD
Angela Petty

4TH WARD
Ramona L. Smith

John J. Mazzaferro
President Common Council

5TH WARD
Ron Casadei

6TH WARD
Anthony Darcangelo

7TH WARD
Philip J. Vescio

CITY CLERK
Louise S. Glasso

COMMON COUNCIL MEETING
REGULAR SESSION

JANUARY 28, 2009
7:30PM

1. CALLING THE ROLL OF MEMBERS BY THE CLERK

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

4. GENERAL PUBLIC HEARING

The time limit for speakers at the general public hearing shall be limited to (5) continuous minutes. The President of the Common Council may extend this time up to an additional five (5) minutes at his discretion; and further extensions must be approved by a majority of the council.

5. RECOGNITION/APPRECIATION

6. READING OF THE MINUTES OF THE PRECEDING SESSION

(Motion in order that the reading of the minutes of the preceding session be dispensed with and that they be approved.)

7. PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

The following businesses have notified the City Clerk's Office of their intention to renew liquor licenses:

Stockyard Inn
Mohawk Glen Golf Club
(Received & filed)

215 S. James St.
880 Perimeter Rd.

Capitol Theatre's financial report for quarter ended 12/31/08 – On file City Clerk's Office

Senior Citizen Council's financial report for quarter ended 12/31/08 – On file City Clerk's Office

8. NOTICES

9. REPORT OF CITY OFFICIALS

10. REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

11. PRESENTING OF REPORT OF COMMITTEES

12. RESOLUTIONS

RES. NO. 28

A

**AUTHORIZING CITY OF ROME WATER POLLUTION CONTROL FACILITY
OPERATOR TO ATTEND WORKSHOP. Tallarino**

RES. NO. 29

B

**AUTHORIZING CITY OF ROME POLICE DEPARTMENT PERSONNEL TO
ATTEND COURSE IN POLICE SUPERVISION. Beach**

RES. NO. 30

C

**AUTHORIZING CITY OF ROME CODE ENFORCEMENT OFFICIALS TO
ATTEND CONFERENCE. Domenico**

RES. NO. 31

D

**AUTHORIZING CITY OF ROME CODE ENFORCEMENT PERSONNEL TO
ATTEND IN-SERVICE TRAINING PROGRAM. Domenico**

RES. NO. 32

E

**AUTHORIZING CITY OF ROME FIRE DEPARTMENT PERSONNEL TO
ATTEND IN-SERVICE TRAINING PROGRAM. Sabia**

RES. NO. 33

F

ACCEPTING DONATIONS PRESENTED TO THE CITY OF ROME'S DEPARTMENT OF PARKS, RECREATION AND COMMUNITY ACTIVITIES RELATIVE TO THE MEMORIAL PARK BENCH PROGRAM. Miller

RES. NO. 34

I

AUTHORIZING THE CITY CLERK TO ADVERTISE NOTICE OF A PUBLIC HEARING REGARDING AN AMENDMENT TO ROME CODE OF ORDINANCES CHAPTER 46, ARTICLE V, SECTION 144, RELATIVE TO FREEZING THE COMPENSATION PAID TO THE PRESIDENT AND MEMBERS OF THE CITY OF ROME COMMON COUNCIL FOR FISCAL YEAR 2009. Sparace, Casadei

13. ORDINANCES

A. %Lacking Unanimous Consent

B. Current Legislation

14. LOCAL LAWS

LL # B of 2009

H

AMENDING CHAPTER 46 ARTICLE V SECTION 144 OF THE ROME CODE OF ORDINANCES TO FREEZE THE COMPENSATION OF THE PRESIDENT AND MEMBERS OF THE COMMON COUNCIL OF THE CITY OF ROME AT 2008 LEVELS FOR FISCAL YEAR 2009. Sparace, Casadei

15. TABLED LEGISLATION

RES. NO. 135

C

Tabled III

AUTHORIZING THE MAYOR OF THE CITY OF ROME TO EXECUTE AN AGREEMENT WITH THE ROME YOUTH HOCKEY ASSOCIATION FOR THE USE OF J. F. KENNEDY CIVIC ARENA. Miller

RES. NO. 12

O

Tabled I

AUTHORIZING THE MAYOR OF THE CITY OF ROME TO EXECUTE AN AGREEMENT WITH THE STANWIX HEIGHTS VOLUNTEER FIRE DEPARTMENT, INC. Nash

RES. NO. 13

P

Tabled I

AUTHORIZING THE MAYOR OF THE CITY OF ROME TO ENTER INTO AN AGREEMENT WITH THE LAKE DELTA VOLUNTEER FIRE DEPARTMENT, INC. Nash

ORD. NO. 8453

L

Tabled II

DESIGNATING OFFICE SPACE IN ROME CITY HALL. Sparace, Casadei, Darcangelo

ORD. NO. 8468

I

Tabled I

AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE CAPITAL RESERVE ACCOUNT PURSUANT TO ROME CITY CHARTER LAWS. Nash

LL # A (1) of 2009

EE

Tabled I

IMPOSING A MORATORIUM ON THE INSTALLATION, PLACEMENT AND CONSTRUCTION OF WIND TURBINES AND OTHER ALTERNATIVE ENERGY SYSTEMS IN THE CITY OF ROME. Smith

16. VETOED LEGISLATION

17. ADJOURNMENT

% Ordinances require unanimous consent to be acted upon when first introduced

NEXT SCHEDULED COMMON COUNCIL MEETING ~~ February 11, 2009

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PROCEEDINGS

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN, that a Public Hearing on Local Law No. 1 of 2009, AMENDING CHAPTER 46 ARTICLE V SECTION 144 OF THE ROME CODE OF ORDINANCES TO FREEZE THE COMPENSATION OF EMPLOYEES AND OFFICERS OF THE CITY OF ROME AT THE 2008 LEVELS FOR FISCAL YEAR 2009 will be held on the 29TH day of January, 2009 at 2:30PM in the Mayor's Conference Room, City Hall, Rome, New York,

at which time and place all interested persons will be heard thereon.

**JAMES F. BROWN
Mayor of the City of Rome, New York**

**Legal Section: Two (2) Times
To Appear: January 21, January 22, 2009
Dated: January 16, 2009
No Speakers**

♦ ♦ ♦

PROCEEDINGS

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN, that a Public Hearing on Local Law No.2 of 2009, AMENDING ARTICLE IV, DIVISION 1, CHAPTER 2 OF THE ROME CODE OF ORDINANCES TO FREEZE THE COMPENSATION OF THE MAYOR AT 2008 LEVELS FOR CALENDAR YEAR 2009 will be held on the 29TH day of January, 2009 at 2:30PM in the Mayor's Conference Room, City Hall, Rome, New York,

at which time and place all interested persons will be heard thereon.

**JAMES F. BROWN
Mayor of the City of Rome, New York**

**Legal Section: Two (2) Times
To Appear: January 21, January 22, 2009
Dated: January 16, 2009
No Speakers**

♦ ♦ ♦

PROCEEDINGS

PUBLIC HEARING

BE IT RESOLVED, that the Common Council of the City of Rome does hereby authorize the City Clerk of the City of Rome to advertise notice of a public hearing concerning the imposition of a moratorium on the installation, placement and construction of wind turbines and other alternative energy systems within the City of Rome, and

BE IT FURTHER RESOLVED, that a public hearing is required pursuant to Municipal Home Rule Law Section 20, and

BE IT FURTHER RESOLVED, that the public hearing is to be held on the 11th day of February , 2009 at 7:15pm, in the Common Council Chambers, City Hall, Rome, New York, at which time all interested persons will be heard thereon.

Louise S. Glasso, CMC
City Clerk

Rome Sentinel Co.

To Appear: February 3, 2009

Dated: January 29, 2009

One Time

Speakers:

Joe Sallustio – 1212 N. James St. – Against moratorium

Andrew Savoie – 404 N. Madison St. – Against moratorium

♦ ♦ ♦
**COMMON COUNCIL MEETING
REGULAR SESSION
PROCEEDINGS**

**FEBRUARY 11, 2009
7:30PM**

PRESENT: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

PLEDGE OF ALLEGIANCE

INVOCATION by President Mazzaferro

GENERAL PUBLIC HEARING

Joe Sallustio – 1212 N. James St. The City's Code pertaining to zoning needs to be fine tuned but not with a moratorium.

Art Pierce – 339 Hamilton St. – Please notify the public when council meetings are cancelled.

Lt. John Bielby – Congratulating Councilor Varano for graduating from Police Civilian Academy

Edward Davis – 6583 Felton Ave. – President of Stanwix Heights Volunteer Fire Dept. – The Stanwix Fire Dept. is made up solely of volunteers and we have had a good relationship with City of Rome since 1945

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Casadei, seconded by Vescio that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

The following businesses have notified the City Clerk's Office of their intention to renew liquor licenses:

Stockyard Inn	215 S. James St.
Mohawk Glen Golf Club	880 Perimeter Rd.
Coalyard Charlies, Inc.	100 Depeyster St. (Received & filed)

Rome Art & Community Center's financial report for 12/31/08 – On file City Clerk's Office

Rome Historical Society's financial report for 12/31/08 – On file City Clerk's Office

Capitol Theater's financial report for quarter ended 12/31/08 – On file City Clerk's Office

Senior Citizen Council's financial report for quarter ended 12/31/08 – On file City Clerk's Office

REPORT OF CITY OFFICIALS

Martin-Grande – Members of the council have inquired securing their own counsel. I will continue to write legislation for members of the council unless it is a conflict of interest with the Mayor.

REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

Casadei – Members of the council prefer to have their own attorney. Currently, there are no checks and balances.

Casadei to Nash – If an employee is salaried paid why was overtime paid for 2008?

Nash – If an employee did not use their comp. time before the end of the year, they have to take a buy out.

Darcangelo – More money is needed for outside district water. Residents have waited many years for this project and the project should be shovel ready in conjunction with roads Through the generosity of the community, \$500,000 was raised for the Kennedy Arena. There is a question regarding the naming rights at the arena. Confident that there is miscommunication and all donations will be used to honor individuals appropriately.

Vescio – Sec. 42 of Rome Charter states that members of the council need to approve designation of office space. Naming rights to Kennedy Arena needs legislation

Smith – Not aware that legislation was required for naming rights

Varano – Outraged by communication skills with members of the council & the mayor.

♦ ♦ ♦
JANUARY 28, 2009

RESOLUTION NO.28

AUTHORIZING CITY OF ROME WATER POLLUTION CONTROL FACILITY OPERATOR TO ATTEND WORKSHOP.

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Marc Anderson,

Operator at the Water Pollution Control Facility for the City of Rome, be and is hereby authorized to attend a workshop entitled "Anaerobic Digestion Workshop", sponsored by the New York State Department of Environmental Conservation and the New York Water Environmental Association, to be held at the Village of Webster Meeting Hall on February 6, 2009. The cost for attendance is \$15.00 per person, plus lunch, tolls and mileage reimbursement.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: FEBRUARY 11, 2009

♦

JANUARY 28, 2009

RESOLUTION NO. 29

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL TO
ATTEND COURSE IN POLICE
SUPERVISION.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Sergeant Joel Guy, Sergeant Michael Yoxall and Detective Eric Sochia of the City of Rome Police Department, be and are hereby authorized to attend a course entitled "Course in Police Supervision", sponsored by the New York State Division of Criminal Justice Services, to be held at the Mohawk Valley Police Academy in Utica, New York on February 9-27, 2009. The cost for attendance will be for lunch reimbursement in the amount of \$225.00.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: FEBRUARY 11, 2009

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JANUARY 28, 2009

RESOLUTION NO. 30

AUTHORIZING CITY OF ROME CODE
ENFORCEMENT OFFICIALS
TO ATTEND CONFERENCE.

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Mark Domenico, Director and Paul Ziminski, Deputy Director of the City of Rome Code Enforcement Office, be and are hereby authorized to attend an in-service training, mandatory for their New York State certification, sponsored by the Finger Lakes Building Officials, to be held in Rochester, New York on March 16 – 19, 2009. The cost for attendance will be approximately \$1,156.00, which includes the cost of registration for the conference of \$390.00 per person, \$376.00 for accommodations, plus tolls, gas and meal reimbursement.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: FEBRUARY 11, 2009

♦

JANUARY 28, 2009

RESOLUTION NO. 31

AUTHORIZING CITY OF ROME CODE
ENFORCEMENT PERSONNEL
TO ATTEND IN-SERVICE
TRAINING PROGRAM.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, the following members of the City of Rome Code Enforcement Office, namely, Dan Carpenter, Pat Hetherington, Fred Fox, Jr., Robert Ryan, Gino Diciolla, Greg Shaver and Kevin Wheadon, be and are hereby authorized to attend an in-service training, mandatory for their New York State certification, sponsored by the New York

State Department of State, to be held in Liverpool, New York on April 14-17, 2009. The cost for attendance will be approximately \$2,450.00, which includes the cost of registration for the training of \$350.00 per person, plus tolls and gas for the two city vehicles to be used for transportation.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: FEBRUARY 11, 2009

♦
JANUARY 28, 2009

RESOLUTION NO. 32

AUTHORIZING CITY OF ROME FIRE
DEPARTMENT PERSONNEL
TO ATTEND IN-SERVICE
TRAINING PROGRAM.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, the following members of the City of Rome Fire Department, namely, Deputy Chief William Gifford, Deputy Chief James Kirk, Captain Thomas Iacovissi, Lt. Peter Winfrey, Lt. Daniel Gifford, Lt. Patrick Hall, Lt. Alan Pohl, Firefighters James Harris, Joseph Hojnacki and Mark Minicozzi, and Fire Inspector Bruce Hancock, be and are hereby authorized to attend an in-service training, mandatory for their New York State certification, sponsored by the New York State Department of State, to be held in Liverpool, New York on April 14-17, 2009. The cost for attendance will be approximately \$3,850.00, which includes the cost of registration for the training of \$350.00 per person, plus tolls and gas for the three city vehicles to be used for

transportation.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: FEBRUARY 11, 2009

♦
JANUARY 28, 2009

RESOLUTION NO. 33 TABLED

ACCEPTING DONATIONS PRESENTED
TO THE CITY OF ROME'S
DEPARTMENT OF PARKS,
RECREATION AND COMMUNITY
ACTIVITIES RELATIVE TO THE
MEMORIAL PARK BENCH PROGRAM.

♦
JANUARY 28, 2009

RESOLUTION NO. 34A

AUTHORIZING THE CITY CLERK TO
ADVERTISE NOTICE OF A PUBLIC
HEARING REGARDING AN
AMENDMENT TO ROME CODE OF
ORDINANCES CHAPTER 46,
ARTICLE V, SECTION 144, RELATIVE
TO FREEZING THE COMPENSATION
PAID TO THE PRESIDENT AND
MEMBERS OF THE CITY OF ROME
COMMON COUNCIL FOR
FISCAL YEAR 2009.

By Councilor Casadei:

BE IT RESOLVED, pursuant to Title C, Sections 2 and 3 of the Rome Charter Laws, the Common Council of the City of Rome, New York does hereby authorize the City Clerk to advertise notice of a public hearing pertaining to an amendment to the Rome Code of Ordinances, Chapter 46, Article V, Section

144, relative to freezing the compensation paid to the President and members of the City of Rome Common Council for fiscal year 2009, said public hearing to be held on the 25th day of February, 2009, at 7:25 p.m., in the Common Council Chambers, City Hall, Rome, New York, at which time and place all interested persons will be heard thereon.

Seconded by Councilor Sparace

Motion to Amend to insert date & time by Casadei, seconded by Petty and so ordered February 11, 2009

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: FEBRUARY 11, 2009

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FEBRUARY 11, 2009

RESOLUTION NO. 35

AUTHORIZING CITY OF ROME
DEPARTMENT OF PUBLIC WORKS
LABOR FOREMAN TO ATTEND
COURSE OF STUDY.

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, William Tallarino, Labor Foreman for the City of Rome Department of Public Works, be and is hereby authorized to attend a course entitled "Contractor/Supervisor Refresher Asbestos Course", offered at the Environmental Compliance Management Corporation, to be held in Chittenango, New York on March 6, 2009. The cost for attendance will include a registration fee in the amount of \$180.00.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: FEBRUARY 11, 2009

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FEBRUARY 11, 2009

RESOLUTION NO. 36

AUTHORIZING CITY OF ROME
DEPARTMENT OF PUBLIC WORKS
WATER POLLUTION CONTROL
FACILITY OPERATOR TO
ATTEND TRAINING.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Marc Anderson, Operator at the City of Rome Department of Public Works Water Pollution Control Facility, be and is hereby authorized to attend a training entitled "O&M of Wastewater Collection Systems", co-sponsored by the New York State Department of Environmental Conservation, to be held in Marcy, New York on March 24-26, 2009. The cost for attendance will include a registration fee in the amount of \$200.00.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: FEBRUARY 11, 2009

♦

FEBRUARY 11, 2009

RESOLUTION NO. 37

AUTHORIZING DIRECTOR OF THE
CITY OF ROME DEPARTMENT OF
PARKS AND RECREATION TO
ATTEND THE 2009 NEW YORK STATE
RECREATION CONFERENCE AND
BUSINESS EXPO.

By Councilor Smith

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Richard Miller, Director of the City of Rome Department of Parks and Recreation, be and is hereby authorized to attend the 2009 New York State Recreation Conference and Business Expo, to be held in Hauppauge, New York on April 20 - 22, 2009. The cost for attendance will include a registration fee in the amount of \$301.00, plus accommodations, tolls, fees and mileage, for an approximate expenditure of \$750.00.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: FEBRUARY 11, 2009

♦

FEBRUARY 11, 2009

RESOLUTION NO. 38

AUTHORIZING CITY OF ROME
DEPARTMENT OF PUBLIC WORKS
WATER TREATMENT PLANT
OPERATOR TO ATTEND TRAINING.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, John Waite,

Operator at the City of Rome Department of Public Works Water Treatment Plant, be and is hereby authorized to attend an 18-hour training course designed and approved by the New York State Department of Environmental Conservation to prepare for Wastewater Operator Certification, to be held at Morrisville State College on April 20-22, 2009. The cost for attendance will include a registration fee in the amount of \$450.00, plus mileage and lunch reimbursement.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: FEBRUARY 11, 2009

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FEBRUARY 11, 2009

RESOLUTION NO. 39

ACCEPTING A DONATION FROM
RESURRECTION LIFE CHURCH
FOR THE ROME POLICE
DEPARTMENT.

By Councilor Smith:

WHEREAS, Resurrection Life Church has contacted the City of Rome with the offer of a monetary donation to be used to renovate the Communications Room at the City of Rome Police Station, and

WHEREAS, pursuant to Rome City Charter Laws-Title A, §25(3), the City of Rome has the power to accept gifts and/or donations upon such terms as may be prescribed by the grantor and/or donor, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that a monetary donation of \$10,000.00 to be used for the renovation of the

Communications Room at the City of Rome Police Department, be and is hereby accepted by the Common Council on behalf of the citizens of the City of Rome, and

BE IT FURTHER RESOLVED, that the Common Council hereby expresses its thanks and appreciation to the Resurrection Life Church for their support of the City of Rome and the Rome Police Department.

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: FEBRUARY 11, 2009

♦

FEBRUARY 11, 2009

RESOLUTION NO. 40A

AUTHORIZING THE CITY CLERK TO
ADVERTISE NOTICE OF A PUBLIC
HEARING REGARDING AN
AMENDMENT TO THE ROME
CHARTER LAWS, TITLE A, ARTICLE
VII, SECTION 91 CONCERNING THE
ESTABLISHMENT OF A RESERVE
ACCOUNT DEDICATED TO WORKERS'
COMPENSATION FUNDS.

By Councilor Smith:

BE IT RESOLVED, pursuant to Sections 2 and 3, Title C of the Rome Charter Laws, that the Common Council of the City of Rome, New York does hereby authorize the City Clerk to advertise notice of a public hearing pertaining to an amendment to Section 91 of the Rome City Charter Laws, Title A, Article VII, regarding appropriations of surplus funds and the establishment of a reserve accounts dedicated to workers' compensation benefits to be provided for Central Maintenance, the Sewer Fund, the Water Fund and the General Fund, said public hearing to be held

on the 25th day of February, 2009, at 7:20 p.m., in the Common Council Chambers, City Hall, 198 North Washington Street, Rome, New York, at which time and place all interested persons will be heard thereon.

Seconded by Councilor Petty

Motion to Amend to insert date & time by Casadei, seconded by Sparace and so ordered February 11, 2009

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: FEBRUARY 11, 2009

♦

WAIVE RULE SIX

FEBRUARY 11, 2009

Motion to WR6 by Casadei, seconded by Vescio and so ordered February 11, 2009

RESOLUTION NO. 41*

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL TO
ATTEND COURSE OF INSTRUCTION.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Detective Raymond Bolton, Patrolmen Fred Pacicca, Mark Glasso, Sean Platt and Don D'Auito of the City of Rome Police Department, be and are hereby authorized to attend a one-day instruction course entitled "Roadmap for the 21st Century Cybercrime Fighter", sponsored by the NLECTC-NE, to be held in Utica, New York on February 18, 2009. There is no registration cost for attendance, with lunch reimbursement in the amount of \$25.00 to be the only anticipated expense.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: FEBRUARY 11, 2009

♦

JANUARY 28, 2009

LOCAL LAW NO. 3 OF 2009 TABLED

AMENDING CHAPTER 46 ARTICLE V
SECTION 144 OF THE ROME CODE OF
ORDINANCES TO FREEZE THE
COMPENSATION OF THE PRESIDENT
AND MEMBERS OF THE COMMON
COUNCIL OF THE CITY OF ROME AT
2008 LEVELS FOR FISCAL YEAR 2009

♦

FEBRUARY 11, 2009

LOCAL LAW NO. # 4 OF 2009 TABLED

A LOCAL LAW AMENDING THE ROME
CHARTER LAWS TITLE A, ARTICLE VII,
SECTION 91 ESTABLISHING RESERVE
ACCOUNTS DEDICATED TO WORKERS'
COMPENSATION FUNDS

♦

NOVEMBER 12, 2008

ORDINANCE NO. 8453 DEFEATED

DESIGNATING OFFICE SPACE IN
ROME CITY HALL.

By Councilor Casadei:

WHEREAS, it is necessary to create a new vault for the storage of vital records managed by the City Clerk due to leakage in the current vault endangering the preservation of records and historical information, and

WHEREAS, the new vault will be

located in space currently occupied and used as office space by Common Council President John Mazzaferro, now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome that pursuant to Rome Charter Laws, Title A, Section 42, that the Common Council President's office shall be moved to the second floor office currently occupied by the Commissioner of Public Safety for easier access to the Mayor's office and in recognition of his legislative and administrative responsibilities; and

BE IT FURTHER ORDAINED, that the Commissioner of Public Safety shall occupy the office space known and designated as Room B1, and that the office occupied by the Weed and Seed Site Coordinator shall be moved to the room formerly used as the Records Retention Office and the Records Retention Office shall be moved to the office formerly used as the Election Room.

Seconded by: Vescio
By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8453
Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Casadei,
Darcangelo, Vescio
NAYS: Smith

% Lacks Unanimous Consent: November 12, 2008
Motion to TABLE by Casadei, seconded by Darcangelo and so ordered December 10, 2008
Motion to Remove from TABLE by Casadei, seconded by Vescio and so ordered February 11, 2009

AYES: None

NAYS: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
DEFEATED: FEBRUARY 11, 2009

♦
JANUARY 14, 2009

ORDINANCE NO. 8468

**AUTHORIZING THE EXPENDITURE OF
FUNDS FROM THE CAPITAL RESERVE
ACCOUNT PURSUANT TO
ROME CITY CHARTER LAWS.**

By Councilor Smith:

WHEREAS, the City of Rome annually undertakes various capital improvement and/or emergency projects, collectively said projects are referred to as "Capital Project" or "Capital Projects", for which, depending on the size and scope of the Capital Project, bonding may be required and approved by the Common Council of the City of Rome, and

WHEREAS, Rome City Charter Section 32, Appropriations, requires the Common Council to approve allocations of certain funding for a specified purpose, and

WHEREAS, Richard A. Miller, Director of the Department of Parks, Recreation & Community Activities for the City of Rome has requested that funding in the amount of Thirty-eight Thousand and 00/100 dollars (\$38,000.00) be allocated from the Capital Reserve Account in order to purchase and install eleven light poles, fixtures, universal light bases and related wiring and equipment for Wiggins Parks, now, therefore,

BE IT ORDAINED, that pursuant to Rome City Charter Laws, funding in the amount of Thirty-eight Thousand and 00/100 dollars (\$38,000.00) shall be allocated from the Capital Reserve Account in order to purchase and install eleven light poles, fixtures, universal light bases and

related wiring and equipment for Wiggins Park, and

BE IT FURTHER ORDAINED, that the authorization contained herein shall be further subject to approval by the City of Rome's Board of Estimate and Contract.

Seconded by Councilor Petty
By Councilor Casadei

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8468

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

Motion to TABLE by Casadei, seconded by Vescio and so ordered January 14, 2009
Motion to Remove from TABLE by Casadei, seconded by Petty and so ordered February 11, 2009

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: FEBRUARY 11, 2009

♦
JANUARY 14, 2009

**LOCAL LAW NO. A OF 2009A
DEFEATED**

**IMPOSING A MORATORIUM ON THE
INSTALLATION, PLACEMENT AND
CONSTRUCTION OF WIND TURBINES
AND OTHER ALTERNATIVE ENERGY
SYSTEMS IN THE CITY OF ROME**

By Councilor Smith:

WHEREAS, the City of Rome recognizes the need for advancement of

alternative energy sources and wants to accommodate the construction, installation and placement of alternative energy systems, including but not limited to wind turbines, wind generators and solar thermal panels, as alternative energy sources, and

WHEREAS, the City of Rome recognizes the need to formulate a comprehensive regulatory approach to regulate the location and number of such alternative energy systems, and

WHEREAS, the City of Rome recognizes the need to update its comprehensive plan and land use regulations to address the new circumstances posed by the construction, installation and placement of alternative energy systems, such as wind turbines, in the City of Rome, and

WHEREAS, the City of Rome recognizes the need to temporarily halt the development of wind turbines and other alternative energy systems, pending the completion and possible adoption of more permanent, comprehensive regulations relative to wind turbines and other alternative energy systems, and

WHEREAS, the City of Rome desires to ensure that the any construction, installation or placement of wind turbines or other alternative energy systems, within its geographical barriers, is carried out in a fashion that promotes the health, safety and general welfare of the community, and

WHEREAS, it is necessary to temporarily prohibit and suspend the construction and placement of wind turbines and other alternative energy systems, to enable the City to adopt more permanent and comprehensive regulations relating to alternative energy systems, and

WHEREAS, a public hearing was held on February 11, 2009, regarding the imposition of a moratorium prohibiting the installation, placement and construction of

wind turbines and other alternative energy systems within the City of Rome for a period of six (6) months, and public comment was heard thereon, now, therefore,

BE IT ENACTED, by the Common Council of the City of Rome, New York, that a moratorium is imposed as follows:

Sec. 80-2.2 Terms Defined

Alternative Energy systems: Systems, **including but not limited to, wind generators, wind turbines, wind power units (WPU), wind energy converters (WEC) or aerogenerators, solar updraft towers, solar power satellites and solar thermal panels,** which serve to produce energy from nondepletable energy sources. These sources of energy (excluding minerals) are derived from:

- (a) Incoming solar radiation, including, but not limited to, natural daylight and photosynthetic processes;
- (b) Energy sources resulting from wind, waves and tides, lake or pond thermal differences; and
- (c) Energy derived from the internal heat of the earth, including nocturnal thermal exchanges.

Sec. 80-31.16 Alternative Energy Systems

(a) The installation or placement of alternative energy systems, including but not limited to, wind generators, wind turbines, wind power units (WPU), wind energy converters (WEC) or aerogenerators, solar updraft towers, solar power satellites and solar thermal panels within the City of Rome is prohibited for a period of six (6) months.

(b) For a period of six (6) months from and after the effective date of this law, no application for the construction, installation or placement of alternative energy systems, including but not limited

to, wind generators, wind turbines, wind power units (WPU), wind energy converters (WEC) or aerogenerators, solar updraft towers, solar power satellites and solar panels, may be filed, accepted or processed. For the purpose of this law, an application for the construction, installation or placement of an alternative energy system, as defined in Section 80-2.2, shall be deemed to mean any request for a building permit or any official action by the Common Council or Planning Board for the City of Rome.

(c) An individual may apply to the Zoning Board of Appeals, pursuant to the procedures outlined in Section 80-22.6, to request permission for the installation, construction or placement of alternative energy systems.

and,

BE IT FURTHER ENACTED that this Local Law shall become effective upon its filing in the Office of the Secretary of State.

Seconded by Councilor Petty

Motion to TABLE by Casadei, seconded by Vescio and so ordered January 14, 2009

Motion to Remove from TABLE by Vescio, seconded by Casadei and so ordered February 1, 2009

Motion to Amend to insert date of public hearing by Casadei, seconded by Vescio and so ordered February 11, 2009

AYES: Petty, Smith

NAYS: Sparace, Varano, Casadei, Darcangelo, Vescio

DEFEATED: FEBRUARY 11, 2009

New wording is in **bold print and underlined**

Wording to be deleted is in **[bold print and in brackets]**

Motion to adjourn by Casadei, seconded by Vescio and so ordered February 11, 2009.

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PROCEEDINGS

PUBLIC HEARING

BE IT RESOLVED, pursuant to Sections 2 and 3, Title C of the Rome Charter Laws, that the Common Council of the City of Rome, New York does hereby authorize the City Clerk to advertise notice of a public hearing pertaining to an amendment to Section 91 of the Rome City Charter Laws, Title A, Article VII, regarding appropriations of surplus funds and the establishment of a reserve accounts dedicated to workers' compensation benefits to be provided for Central Maintenance, the Sewer Fund, the Water Fund and the General Fund, said public hearing to be held on the 25th day of February, 2009, at 7:20 p.m., in the Common Council Chambers, City Hall, 198 North Washington Street, Rome, New York, at which time and place all interested persons will be heard thereon.

Louise S. Glasso, CMC
City Clerk

Rome Sentinel Co.
To Appear: February 17, 2009
Dated: February 12, 2009
One (1) time
No Speakers

♦ ♦ ♦

PROCEEDINGS

PUBLIC HEARING

BE IT RESOLVED, pursuant to Title C, Sections 2 and 3 of the Rome Charter Laws, the Common Council of the City of Rome, New York does hereby authorize the City Clerk to advertise notice of a public hearing pertaining to an amendment to the Rome Code of Ordinances, Chapter 46, Article V, Section 144, relative to freezing the compensation paid to the President and members of the City of Rome Common Council for fiscal year 2009, said public hearing to be held on the 25th day of February, 2009, at 7:25 p.m., in the Common Council Chambers, City Hall, Rome, New York, at which time and place all interested persons will be heard thereon.

Louise S. Glasso, CMC
City Clerk

Rome Sentinel Co.
To Appear: February 17, 2009
Dated: February 12, 2009
One (1) time
No Speakers

♦ ♦ ♦

COMMON COUNCIL MEETING REGULAR SESSION PROCEEDINGS

**FEBRUARY 25, 2009
7:30PM**

PRESENT: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

PLEDGE OF ALLEGIANCE

INVOCATION by President Mazzaferro

GENERAL PUBLIC HEARING

Joe Sallustio – 1212 N. James St. – City needs to enforce the law regarding residents keeping their sidewalks clear of snow.

Stimulus program was designed for low income families and not restricted to neighborhoods. DEC has not mandated water meters – residents in Rome do not need another tax burden

Andrew Savoie – 404 N. Madison St. – Behavior of council members at the last council meeting was unacceptable. John Mazzaferro, President of Common Council, has lost control of meetings. I am asking for his resignation.

Sally Pratt – 1801 N. James St. – Cat issue is still a problem. This is upstate New York, snow removal is always a problem.

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Casadei, seconded by Sparace that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

The following businesses have notified the City Clerk's Office of their intention to renew liquor licenses:

Beaver Creek Golf Club

5219 Rome Taberg Rd. (Received & filed)

REPORT OF CITY OFFICIALS

Mazzaferro to Tallarino – What is the status of the Truck Route?

Tallarino – Informal draft is complete and a meeting has been scheduled with Councilor Petty and Legislator, Hudak.

REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

Darcangelo – Thanking Rich Miller for draft of revenue for Kennedy Arena. There is potential for reducing costs and increasing revenue. 6th Ward residents are against water meters. Citizens in Rome pay more than their fair share of taxes.

Sparace – 1st Ward residents are against water meters.

Casadei – Thanking Steve Jones, Sentinel Reporter, for article on water meters, it generated a lot of phone calls for the councilors. 5th Ward residents are against water meters. The city has a large elderly population on fixed incomes, they cannot afford any increase in taxes.

Vescio to Tallarino – What is the status of Centro agreement?

Tallarino – Public Hearing was held yesterday and the City's stance is for no increase in rates.

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FEBRUARY 25, 2009

RESOLUTION NO. 42

AUTHORIZING CITY OF ROME POLICE DEPARTMENT PERSONNEL TO ATTEND TRAINING COURSE.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to

Section 77-b of the General Municipal Law of the State of New York, Detective Commander Tim Bates, Sergeant Steve Armstrong, Patrolmen Justin Cresswell, of Rome Police Department, be and are hereby authorized to attend a one-day course entitled "Preparedness Response and Recovery: High Consequence Events on Campus", sponsored by the New York State Office of Homeland Security, to be held in Utica, New York on March 5, 2009. There

is no registration cost for attendance, with lunch reimbursement in the amount of \$25.00 to be the only anticipated expense.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: FEBRUARY 25, 2009

♦

FEBRUARY 25, 2009

RESOLUTION NO. 43

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL TO
ATTEND TRAINING COURSE.

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Police Officer Frank Fragapane of the City of Rome Police Department, be and is hereby authorized to attend a three-day course entitled "Commercial Motor Vehicle Criminal Interdiction", sponsored by the New York State Office of Homeland Security, to be held in Albany, New York on March 10-12, 2009. There is no registration cost for attendance, with lunch reimbursement in the amount of \$54.00 to be the only anticipated expense.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: FEBRUARY 25, 2009

♦

FEBRUARY 25, 2009

RESOLUTION NO. 44

AUTHORIZING CITY OF ROME
DEPARTMENT OF PUBLIC WORKS
PERSONNEL TO ATTEND SEMINAR.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Butch Conover, Superintendent of Public Works and Tony Nash, Assistant Superintendent of the Department of Public Works, be and are hereby authorized to attend a seminar co-sponsored by the New York State Department of Environmental Conservation, entitled "Fats, Oil and Grease – Strategies for Controlling System Impacts", to be held in Rochester, New York on May 13, 2009. The cost for attendance includes a registration fee of \$120.00 per person, plus mileage and toll reimbursement.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: FEBRUARY 25, 2009

♦

FEBRUARY 25, 2009

RESOLUTION NO. 45

AUTHORIZING CITY OF ROME
SUPERINTENDENT OF PUBLIC WORKS
TO ATTEND SEMINAR.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Butch Conover, Superintendent of Public Works for the City of Rome, be and is hereby authorized to

attend 2 one-half day seminars entitled "Water Infrastructure Reaches a Crossroads" and Water System Infrastructure", to be held in New Hartford, New York on March 4, 2009. The cost for attendance includes a registration fee of \$50.00.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: FEBRUARY 25, 2009

♦

FEBRUARY 25, 2009

RESOLUTION NO. 46

ACCEPTING DONATION PRESENTED
TO THE CITY OF ROME'S
DEPARTMENT OF PARKS,
RECREATION AND COMMUNITY
ACTIVITIES RELATIVE TO THE
INDOOR PARK AT PINTI FIELD.

By Councilor Casadei:

WHEREAS, the Indoor Park at Pinti Field has been an integral part of the Department of Parks, Recreation and Community Activities for the City of Rome for the past few years, and has offered many hours of enjoyment for the youth of this community, and

WHEREAS, the Department of Parks, Recreation and Community Activities has previously submitted a grant proposal for consideration by the Excellus BlueCross BlueShield's Community Health Award and the City has been notified of an award in the amount of \$2,000.00 to be used to offset equipment and material costs for the Indoor Park at Pinti Field, and

WHEREAS, the Rome City Charter states that the Common Council must authorize and accept donations made to the

City of Rome on behalf of the City of Rome, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the donation of \$2,000.00 from the Excellus BlueCross BlueShield Community Health Award shall be gratefully accepted by the City of Rome, and

BE IT FURTHER RESOLVED, that the Common Council hereby expresses its appreciation to Excellus BlueCross BlueShield for the award of \$2,000.00 to be used to offset equipment and materials costs for the Indoor Park at Pinti Field.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: FEBRUARY 25, 2009

♦

FEBRUARY 25, 2009

RESOLUTION NO. 47

APPOINTING COMMISSIONER OF
DEEDS.

By Councilor Casadei:

BE IT RESOLVED, by the Common Council of the City of Rome that the following individual be and is hereby appointed Commissioner of Deeds for the City of Rome, New York, for a term to expire December 31, 2010:

Richard Beaman

and,

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: FEBRUARY 25, 2009

♦

FEBRUARY 25, 2009

RESOLUTION NO. 48

AUTHORIZING THE CITY CLERK OF
THE CITY OF ROME
TO SUBMIT A GRANT APPLICATION
TO THE NEW YORK STATE
DEPARTMENT OF ARCHIVES

By Councilor Smith:

WHEREAS, the Rome City Clerk
acts as the Records Management Officer for
the City of Rome, and

WHEREAS, the City of Rome is
required to maintain certain public records,
and

WHEREAS, Louise Glasso, Rome
City Clerk, recommends that the city apply
for a \$10,000 grant available from the New
York State Department of Archives, to be
used to conduct a Geographic Information
System (GIS) Needs Assessment for the
City of Rome, and

WHEREAS, the aforesaid
assessment will build upon existing GIS
initiatives and assist the City of Rome GIS
Steering Committee in establishing a GIS
infrastructure records management program,
now, therefore,

BE IT RESOLVED, that Louise
Glasso, Rome City Clerk, is hereby
authorized to submit a grant application on
behalf of the City of Rome to the New York
State Department of Archives for a \$10,000
grant to be used to conduct a Geographic

Information System (GIS) Needs
Assessment for the City of Rome.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: FEBRUARY 25, 2009

♦

FEBRUARY 25, 2009

RESOLUTION NO. 49

AUTHORIZING ASSISTANT
CORPORATION COUNSEL FOR THE
CITY OF ROME TO ATTEND SEMINAR.

By Councilor Smith:

BE IT RESOLVED, that pursuant to
Section 77-b of the General Municipal Law
of the State of New York, Deana D. Previte,
Assistant Corporation Counsel for the City
of Rome, be and is hereby authorized to
attend a seminar entitled "Winning Your
First Civil Trial", to be held in Syracuse,
New York on February 27, 2009. The
registration fee for attendance will be
\$289.00, plus reimbursement for lunch, tolls
and mileage.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: FEBRUARY 25, 2009

♦

FEBRUARY 25, 2009

RESOLUTION NO. 50

AUTHORIZING CODE ENFORCEMENT
OFFICER AND PLUMBING INSPECTOR
FOR THE CITY OF ROME TO
ATTEND SEMINAR.

By Councilor Varano:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Patrick Hetherington, Code Enforcement Officer, and J. Michael Mondrick, Plumbing Inspector for the City of Rome, be and are hereby authorized to attend a seminar co-sponsored by the New York State Department of Environmental Conservation entitled "Fats, Oil and Grease – Strategies for Controlling System Impacts", to be held in Rochester, New York on May 13, 2009. The registration fee for attendance will be \$120.00 per person, plus reimbursement for tolls and mileage.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: FEBRUARY 25, 2009

♦

FEBRUARY 25, 2009

RESOLUTION NO. 51

AUTHORIZING CITY OF ROME CODE
ENFORCEMENT OFFICE
PERSONNEL TO ATTEND SEMINARS.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Patrick Hetherington, Code Enforcement Officer,

and Daniel Carpenter, Assistant Building Inspector for the City of Rome, be and are hereby authorized to attend seminars presented by The Center for Energy Efficiency and Building Science entitled "Building Analyst Training", to be held in Liverpool, New York on March 16-21, 2009, and a seminar entitled "Envelope Professional Training", to be held on April 6-10, 2009. The registration fee for attendance will be \$4,180.00 [\$1,045 per person per session], plus reimbursement for tolls and mileage. Please note that NYSEDA will reimburse the City of Rome for 75% of the cost for attendance at these seminars, with CDBG to reimburse the City of Rome for the remaining 25%.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: FEBRUARY 25, 2009

♦

**WAIVE RULE SIX
COMMON COUNCIL**

FEBRUARY 25, 2009

Motion to WR6* by Casadei, seconded by Sparace and so ordered February 25, 2009

RESOLUTION NO. 52*

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL TO
ATTEND CONFERENCE.

By Councilor Sparace:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Detective Ed D'Alessandro of the City of Rome Police Department, be and is hereby authorized to attend a three-day conference entitled "National Center for the Analysis of Violent

Crime”, sponsored by the Federal Bureau of Investigation, to be held in Syracuse, New York on March 10-12, 2009. There is no registration cost for attendance, with lunch reimbursement in the amount of \$54.00 to be the only anticipated expense.

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: FEBRUARY 25, 2009

♦

FEBRUARY 25, 2009

ORDINANCE NO. 8470

**DESIGNATING OFFICE SPACE IN
ROME CITY HALL.**

By Councilor Casadei:

WHEREAS, it is necessary to create additional storage area for records managed by the City Clerk as the records retention building currently used by the City of Rome is filled to capacity, and

WHEREAS, the Election Room in the basement of City Hall currently houses voting machines owned by the County Board of Elections, which machines will be housed by the City of Rome until such time as the County removes them, and

WHEREAS, the Election Room in the basement of City Hall has room to house some city records as well as the aforesaid voting machines, now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome that pursuant to Rome Charter Laws, Title A, Section 42, that the Election Room in the basement of Rome City Hall shall be used as a dual purpose, namely, for the storage of the voting machines owned by the County

Board of Elections, as well as to house a portion of city records, as the records retention building is filled to capacity.

Seconded by Councilor Smith
By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8470

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8470

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: FEBRUARY 25, 2009

♦

JANUARY 14, 2009

RESOLUTION NO. 12

**AUTHORIZING THE MAYOR OF THE
CITY OF ROME TO EXECUTE
AN AGREEMENT WITH THE STANWIX
HEIGHTS VOLUNTEER
FIRE DEPARTMENT, INC.**

By Councilor Varano:

BE IT RESOLVED, by the Common Council of the City of Rome that the Mayor of the City of Rome is hereby authorized to enter into a contract with the Stanwix Heights Volunteer Fire Department, Inc., for the purpose of providing secondary fire protection for certain areas within the City of Rome, and

BE IT FURTHER RESOLVED, that said contract shall be for a period of one year at a total cost of \$4,000.00.

Seconded by Councilor Sparace

NAYS: None

ADOPTED: FEBRUARY 25, 2009

Motion to TABLE by Casadei, seconded by Vescio and so ordered January 14, 2009

Motion to Remove from TABLE by Casadei, seconded by Vescio and so ordered February 25, 2009

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: FEBRUARY 25, 2009

♦
JANUARY 14, 2009

RESOLUTION NO. 13

AUTHORIZING THE MAYOR OF THE
CITY OF ROME TO ENTER
INTO AN AGREEMENT WITH THE
LAKE DELTA VOLUNTEER
FIRE DEPARTMENT, INC.

By Councilor Smith:

BE IT RESOLVED, by the Common Council of the City of Rome that the Mayor of the City of Rome is hereby authorized to enter into a contract with the Lake Delta Volunteer Fire Department, Inc., for the purpose of providing secondary fire protection for certain areas within the City of Rome, and

BE IT FURTHER RESOLVED, that said contract shall be for a period of one year at a total cost of \$4,000.00.

Seconded by Councilor Sparace

Motion to TABLE by Casadei, seconded by Vescio and so ordered January 14, 2009

Motion to Remove from TABLE by Casadei, seconded by Sparace and so ordered February 25, 2009

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

♦
JANUARY 28, 2009

LOCAL LAW NO. 3 OF 2009 A

AMENDING CHAPTER 46 ARTICLE V
SECTION 144 OF THE ROME CODE OF
ORDINANCES TO FREEZE THE
COMPENSATION OF THE PRESIDENT
AND MEMBERS OF THE COMMON
COUNCIL OF THE CITY OF ROME AT
2008 LEVELS FOR FISCAL YEAR 2009

By Councilor Casadei:

Whereas, the President and members of the City of Rome Common Council are not represented by a collective bargaining unit, and

Whereas, said compensation of such individuals is governed by the provisions of Article V, Chapter 46 of the Rome Code of Ordinances, and

Whereas, the City of Rome and countless other municipalities, states and the federal government are experiencing a severe economic crisis which has most recently been deemed to be a recession, and

Whereas, it is anticipated that the City of Rome will experience significant increases in the cost of doing business coupled with the loss of state and federal aid, and a decrease in the revenue generated from sales tax, and

Whereas, in an effort to control the costs of government and to stem the adverse impact of the recession on the City of Rome, its taxpayers and employees, the President and members of the City of Rome Common Council have deemed it advisable to freeze the compensation of their salaries at the

levels established for calendar year 2008, and

Whereas, the President and Common Council members understand the economic situation and how it impacts Rome taxpayers, and

Whereas, the President and members of the Common Council have recommended that Article V, Chapter 46, Section 144 be amended to provide for the freezing of compensation for their salaries for fiscal year 2009 at 2008 levels, now, therefore,

BE IT ENACTED, by the Common Council of the City of Rome, New York that the Rome Code of Ordinances, Chapter 46, Article V, Section 144 be and is hereby amended as follows:

Sec. 46-144. Wages.

(a) *Employees and officers.* Employees and officers, with the exception of members of the board of estimate and contract, shall be compensated at the salary rates set forth by the City of Rome--CSEA Contract in effect for each calendar year. Employees governed by the step increment system set forth in such contract shall receive the increment applicable to their years of service.

(b) *Board of estimate and contract.* Charter members of the board of estimate and contract, whose salaries are not addressed by other sections of the Charter or this Code, shall receive a yearly cost of living adjustment, not to exceed five percent. The cost of living adjustment shall be determined in accordance with subsection 2-236(b). Members appointed to the board of estimate and contract after January 1, 1994, shall not be eligible to receive step increments as set forth in the City of Rome--CSEA Contract.

(Code 1966, § 11-93)

(c) The compensation of employees and officers governed by the provisions of this section, including the president and

members of the city of Rome Common Council, and all mayoral appointees shall be frozen at 2008 levels for fiscal year 2009. This provision shall expire on December 31, 2009.

and,

BE IT FURTHER ENACTED, by the Common Council of the City of Rome, New York that, pursuant to New York State Municipal Home Rule Law §24, this Local Law shall only become effective following the passage of forty-five (45) days from its adoption, and upon its filing with the Secretary of State.

Seconded by Councilor Sparace

Motion to TABLE by Casadei, seconded by Sparace and so ordered February 11, 2009

Motion to Remove from TABLE by Casadei, seconded by Sparace and so ordered February 25, 2009

Motion to Amend to insert names of council members by Varano, seconded by Casadei and so ordered February 25, 2009

AYES: Sparace, Varano, Petty, Smith,

Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: FEBRUARY 25, 2009

EXHIBIT A

John Sparace, Thomas Varano, Angela Petty, Ramona Smith, Ron Casadei, Anthony Darcangelo, Philip Vescio and John Mazzaferro, President of Common Council

Deleted language in **bold** print and

[brackets].

New language in **bold** print and underlined.

FEBRUARY 11, 2009

LOCAL LAW NO. 4 2009 A

A LOCAL LAW AMENDING THE ROME
CHARTER LAWS TITLE A, ARTICLE VII,
SECTION 91 ESTABLISHING RESERVE
ACCOUNTS DEDICATED
TO WORKERS' COMPENSATION FUNDS

By Councilor Smith:

WHEREAS, the City of Rome pursuant to New York State General City Law Section 20 and Local Finance Law, Article II, has the authority to spend money and undertake debt for any public or municipal purposes or to fund or complete various public or municipal projects, and

WHEREAS, the City of Rome Charter Laws (hereinafter referred to as "Charter"), Article VII, sets forth the rules, regulations and procedures by which annual revenues and appropriations of the City of Rome, New York are estimated, approved and effectuated, and

WHEREAS, Rome Charter, Title A, Article VII, Section 91 sets forth, among other things, that when revenues of the City exceed budgeted revenues or when there remains unexpended balances of appropriations made for City purposes, herein after collectively referred to as "Surplus Funds," said funds are deposited and included as part of the estimated revenues for the succeeding year, or the Board of Estimate and Contract may approve the transfer and appropriation of Surplus Funds from any department, officer or purpose to another department, officer or purpose, and

WHEREAS, the City of Rome is obligated by law to provide workers' compensation benefits to its employees, and

WHEREAS, the City of Rome's workers' compensation fund is

administered, funded and managed by the City, and

WHEREAS, it is the recommendation of City Treasurer John Nash that it is in the best interests citizens of the City of Rome, and the public interests would be furthered by the establishment of certain reserve accounts dedicated to the Workers' Compensation benefits to be provided for Central Maintenance, the Sewer Fund, the Water Fund and the General Fund, and

WHEREAS, a public hearing was held on 25th day of February, 2009, regarding the amendment of the Rome Charter Laws, Title A, Article VII, Section 91, and all interested parties were given the opportunity to be heard thereon, now, therefore,

BE IT ENACTED, by the Common Council of the City of Rome, New York, that Rome Charter Laws, Title A, Article VII, Section 91 be and is hereby amended as follows:

Sec. 91. Annual appropriations; transfers.

When the council shall have adopted the final estimate of the board of estimate and contract, or said estimate as amended by it, the same shall be entered at large in its minutes and become a part of its proceedings. The several sums estimated for expenditures therein shall be and become appropriated in the amounts and for the several departments, officers and purposes as therein specified for the said fiscal year. The several sums therein enumerated as estimated revenues and the money necessary to be raised by tax in addition thereto to pay expenses of conducting the business of the city and for the purpose contemplated by this act and otherwise by law, shall be and become applicable in the amounts therein named for the purpose of meeting said appropriation. In case the revenues received by the city exceed the amount of such estimated revenues named in said annual estimate, or in case there remain any

unexpended balances of appropriations made for the support of the city government or for any other purpose, then such surplus revenues or such unexpended balances shall, except as otherwise provided by law, remain upon deposit and be included as a part of the estimated revenues for the succeeding year. In addition to depositing surplus revenues or unexpended balances for the succeeding year, when any moneys or revenues are received by any officer, board or department of the city, from any source which are not otherwise appropriated, such moneys or revenues may be used and applied toward and in addition to the funds appropriated, as aforesaid, in such manner as in the judgment of the board of estimate and contract may be most beneficial to the city, including being deposited in [an] accounts dedicated solely to capital and/or emergency projects and referred to as the "Capital Reserve Account" or into reserve accounts established by the city treasurer to fund workers' compensation benefits for central maintenance, the sewer fund, the water fund or the general fund.

Nothing herein contained shall prevent the transfer, prior to the close of the fiscal year, of any unexpended balances or of any appropriation not used or not intended to be used from any department, officer or purpose to another department, officer or purpose or prevent the appropriation of any revenues not appropriated, provided such transfer or appropriation be authorized in such manner as may be deemed most beneficial to the city by resolution duly adopted by the board of estimate and contract; provided however, that no transfer of moneys shall be made from the surplus account prior to the close of the fiscal year

without the approval of a majority of the members of the common council.

For expenditures to be made from the Capital Reserve Account, in addition to any other powers conferred by this Charter or any other applicable law, the Common Council shall pass by ordinance, bonding in an amount sufficient to cover the cost of the proposed capital or emergency project, in accordance with all applicable state and local laws. Upon such authorization by the Common Council, the Board of Estimate and Contract shall be authorized, in furtherance of the best interests of the City and/or to protect and enhance the health, safety and welfare of the citizens of the City, to appropriate and authorize expenditures from the Capital Reserve Account.

Seconded by Councilor Petty

Motion to TABLE by Petty, seconded by Smith and so ordered February 1, 2009

Motion to Remove from TABLE by Casadei, seconded by Vescio and so ordered February 25, 2009

Motion to Amend to insert date by Casadei, seconded by Vescio and so ordered February 25, 2009

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: FEBRUARY 25, 2009

Deleted language in **bold** print and **[brackets]**.

Added language in **bold** print and **underlined**.

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Motion to adjourn by Casadei, seconded by Vescio and so ordered February 25, 2009.

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**COMMON COUNCIL MEETING
REGULAR SESSION
PROCEEDINGS**

**MARCH 11, 2009
7:30PM**

**PRESENT: Sparace, Petty, Smith, Casadei, Darcangelo, Vescio
EXCUSED: Varano**

PLEDGE OF ALLEGIANCE

INVOCATION by President Mazzaferro

GENERAL PUBLIC HEARING

Joe Sallustio – 1212 N. James St. – Prior to the city code being recodified, the city engineer and members of the council had power to regulate legislation pertaining to water meters.

Sally Pratt – 1801 N. James St. – What action needs to be taken to regulate cats?

Andrew Savoie – 404 N. Madison St. – The city has a defibrillator on the 1st floor but should consider having one on every floor.

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Casadei, seconded by Sparace that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

REPORT OF CITY OFFICIALS

Mazzaferro – Councilor Varano donated the photographs of the council to the City

MARCH 11, 2009

RESOLUTION NO. 53

**AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL TO
ATTEND CONFERENCE.**

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Captain David Iacovissi and Sergeant Mark Liddy of the City of Rome Police Department, be and are hereby authorized to attend a three-day conference entitled “New York State Tactical Officers Association Expo and Conference”, sponsored by the New York

State Tactical Officers’ Association, to be held in Verona, New York on April 28-30, 2009. There is a registration cost for attendance of \$199.99 per person, plus meal reimbursement.

Seconded by Councilor Sparace

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio

NAYS: None

EXCUSED: Varano

ADOPTED: MARCH 11, 2009

MARCH 11, 2009

RESOLUTION NO. 54

AUTHORIZING CITY OF ROME
DEPARTMENT OF PUBLIC WORKS
PERSONNEL TO ATTEND
CONFERENCE.

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Joseph G. Guiliano, Public Works Inspector, and Eric N. Seifert, Engineer I, of the City of Rome Department of Public Works, be and are hereby authorized to attend the 2009 APWA-New York Chapter Annual Conference, to be held in Canandaigua, New York on March 26-27, 2009. There is a registration cost for attendance of \$400.00 per person, plus reimbursement for accommodations in the amount of \$125.00, plus mileage and tolls.

Seconded by Councilor Smith

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: MARCH 11, 2009

♦

MARCH 11, 2009

RESOLUTION NO. 55

AUTHORIZING CITY OF ROME
DEPARTMENT OF PUBLIC WORKS
ADMINISTRATIVE AIDE TO ATTEND
CONFERENCE.

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Diane Kelly,

Administrative Aide, City of Rome Department of Public Works, be and is hereby authorized to attend a one-day seminar entitled "Mistake-Free Grammar & Proof Reading" to be held in Utica, New York on May 1, 2009. There is a registration cost for attendance of \$119.00, plus reimbursement for mileage and lunch.

Seconded by Councilor Smith

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: MARCH 11, 2009

♦

MARCH 11, 2009

RESOLUTION NO. 56

AUTHORIZING CITY OF ROME FIRE
DEPARTMENT TO ATTEND
IN-SERVICE TRAINING PROGRAM.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Lieutenant Timothy Reilly, City of Rome Fire Department, be and is hereby authorized to attend an In-Service Training Program, sponsored by the New York State Department of State, to be held in Liverpool, New York on April 14 – 17, 2009. There is a registration cost for attendance of \$350.00. This In-Service Training will grant Lt. Reilly 24-hours of mandatory credits for certification as a codes officer.

Seconded by Councilor Smith

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: MARCH 11, 2009

♦
MARCH 11, 2009

RESOLUTION NO. 57

**AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL TO
ATTEND CONFERENCE.**

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Sergeants Jay DiMaggio, Michael Mock and John Reilly of the City of Rome Police Department, be and are hereby authorized to attend a one-day conference entitled "WMD Incident Complexities", sponsored by the New York State Office of Homeland Security, to be held in Oriskany, New York on March 30, 2009. There is no registration cost for attendance, with reimbursement for meals in the amount of \$15.00.

Seconded by Councilor Sparace

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: MARCH 11, 2009

♦
MARCH 11, 2009

RESOLUTION NO. 58A

**AUTHORIZING THE CITY CLERK TO
ADVERTISE NOTICE OF A PUBLIC
HEARING REGARDING AN
AMENDMENT TO OFFICIAL ZONING
MAP OF THE CITY OF
ROME, NEW YORK.**

By Councilor Vescio:

WHEREAS, pursuant to the City of Rome Code of Ordinances ("Rome Code"), §80-24.1(a), by Ordinance No. 8472, the Common Council is considering an amendment to the Official Zoning Map of the City of Rome ("Zoning Map"), which will change the zoning designation of certain property located at 104 Lyndale Drive, from Neighborhood Commercial ("C-1") to Single Family Residential ("R-1"), hereinafter said proposed amendment is referred to as "Proposed Zoning Amendment", and

WHEREAS, pursuant to the Rome Code, §80-24.4(a), prior to any amendment to the Zoning Map being approved, a public hearing must be held at the next regularly scheduled meeting of the Common Council after the introduction of the proposed amendment, which will permit all interested members of the public to comment on same, and

WHEREAS, pursuant to the Rome Code, notice of the public hearing must be published in the official newspaper of the City of Rome, at least seven days prior to the date the public hearing is to be held, and said public notice shall include the date, time and place of said public hearing, as well as a description of the substance of the proposed amendment, now, therefore,

BE IT RESOLVED, that the Common Council of the City of Rome, New York does hereby authorize the City Clerk to advertise notice of a public hearing pertaining to the amendment to the Official Zoning Map of the City of Rome, New York, as proposed by Ordinance No. 8472, which said amendment which will change the zoning designation of certain property located at 104 Lyndale Drive, from Neighborhood Commercial ("C-1") to Single Family Residential ("R-1"), and

BE IT FURTHER RESOLVED, that the public notice published by the City Clerk be published in the official newspaper of the City of Rome to permit all interested persons to be heard, and that said notice set forth that the hearing will take place before the next regularly scheduled meeting of the Common Council to be held on the 25th day of March 2009, at 7:20 p.m., in the City of Rome Common Council Chambers, 2nd floor, City Hall, Rome, New York, as well as a description of the amendment to be discussed, at which time and place all interested persons will be heard thereon.

Seconded by Councilor Casadei

Motion to Amend to insert Ordinance No. & date of public hearing by Vescio, seconded by Sparace and so ordered March 11, 2009

AYES: Sparace, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

EXCUSED: Varano

ADOPTED: MARCH 11, 2009

♦

MARCH 11, 2009

RESOLUTION NO. 59

**AUTHORIZING THE COMMON
COUNCIL TO ACT AS
“LEAD AGENCY” FOR STATE
ENVIRONMENTAL QUALITY
REVIEW ACT FOR AN AMENDMENT
TO ZONING CODE OF THE
CITY OF ROME**

By Councilor Vescio:

WHEREAS, New York State has enacted the State Environmental Quality Review Act (“SEQRA”), to ensure municipal decision makers identify and consider potential environmental impacts

before undertaking or approving an action, and

WHEREAS, under the New York Code of Rules and Regulations, the City of Rome Common Council, because it has authority to undertake, fund and approve the City action necessary for the amendment of the Zoning Code, has standing to serve as “lead agency” to determine if said action will have any impacts on the environment, and

WHEREAS, it is the opinion of the Corporation Counsel’s Office that the zoning amendment is an action for which a coordinated review may be conducted, and

WHEREAS, it is the responsibility of the Common Council, as lead agency, to confirm its status as lead agency with other interested agencies, if any, to ensure that an Environmental Assessment Form is filled out, so as to make a determination of significance as to whether or not the action will have an adverse impact on the environment and whether or not an Environmental Impact Statement is required, now, therefore,

BE IT RESOLVED, by the City of Rome Common Council that the City of Rome Common Council is hereby designated as “lead agency” for work undertaken, funded and/or approved by the City of Rome to amend the Zoning Code of the City of Rome for purposes of a coordinated review of said action with all interested agencies, if any, and to make a determination of the action’s environmental significance, and

BE IT FURTHER RESOLVED, by the City of Rome Common Council that the Department of Community and Economic Development is hereby delegated the duty of informing other involved agencies of the Common Council’s designation as “lead agency” and to ensure that all “interested”

agencies are in agreement with the Common Council being named “lead agency”, and

BE IT FURTHER RESOLVED, by the City of Rome Common Council that the President of the Common Council, or his designee, may execute any and all documents, solicit appropriate input from interested agencies and/or the public and to schedule all hearings necessary, if any, in order for the City of Rome Common Council to fulfill its duties and obligations as lead agency with respect to amendment of the Rome Zoning Code, which said duties and obligations may include, but not be limited to: the signing and filing of a negative declaration, if it be deemed one is appropriate, or the filing of an Environmental Impact Statement.

Seconded by Councilor Casadei

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio

NAYS: None

EXCUSED: Varano

ADOPTED: MARCH 11, 2009

♦

MARCH 11, 2009

ORDINANCE NO. 8471

AUTHORIZING THE CONVERSION OF FRANK STREET FROM A ONE-WAY STREET TO A TWO-WAY DESIGNATION.

By Councilor Sparace:

WHEREAS, John Sparace, Councilor for the First Ward of the City of Rome, in conjunction with a traffic study conducted by the Commissioner of Public Works for the City of Rome, has requested that Frank Street be converted from its current one-way designation to a two-way street, now, therefore,

BE IT ORDAINED, that the Common Council of the City of Rome, pursuant to New York State Vehicle and Traffic Law Section 1640, hereby authorizes that Frank Street be converted from its current one-way designation to a two-way street, with the recommendation that the section of Sticca Avenue between 6th Street and Frank Street remain one-way westbound so as to not promote cut-thru traffic from 6th Street for vehicles wishing to travel eastbound attempting to avoid either 5th Street or Spado Avenue, pursuant to the memorandum submitted by Frank D. Tallarino, Jr., Commissioner of Public Works for the City of Rome attached hereto and made a part hereof as Exhibit “A”, and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon the posting of the appropriate signage.

Seconded by Councilor Vescio
By Councilor Petty

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8471

Seconded by Councilor Casadei

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio

NAYS: None

EXCUSED: Varano

ORDINANCE NO. 8471

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio

NAYS: None

EXCUSED: Varano

ADOPTED: MARCH 11, 2009

♦

MARCH 11, 2009

ORDINANCE NO. 8472 TABLED

AUTHORIZING AN AMENDMENT TO
THE OFFICIAL ZONING MAP OF THE
CITY OF ROME TO CHANGE
THE ZONING DESIGNATION OF
CERTAIN PROPERTY FROM
NEIGHBORHOOD COMMERCIAL TO
SINGLE FAMILY RESIDENTIAL

♦

AUGUST 13, 2008

RESOLUTION NO. 135

AUTHORIZING THE MAYOR OF THE
CITY OF ROME TO EXECUTE
AN AGREEMENT WITH THE ROME
YOUTH HOCKEY ASSOCIATION
FOR THE USE OF
J. F. KENNEDY CIVIC ARENA.

By Councilor Petty:

WHEREAS, Richard A. Miller, Director of Parks and Recreation for the City of Rome, New York has recommended that the City of Rome, New York enter into an agreement with the Rome Youth Hockey Association for the use of the John F. Kennedy Civic Arena for practices and hockey games, now, therefore,

BE IT RESOLVED, that the Common Council of the City of Rome, hereby authorizes the Mayor of the City of Rome to enter into an agreement with the Rome Youth Hockey Association for the use of the John F. Kennedy Civic Arena from September 1, 2008 through August 31, 2009, with an optional one-year renewal upon mutual agreement, with fees for the renewal period to be established by the City on or before July 30, 2009, with the Association's usage of the Arena to be scheduled through the Department of Parks, Recreation and Community Activities, and

BE IT FURTHER RESOLVED, during the September 1, 2008 through August 31, 2009 contract period, the Hockey Association will be reimburse the City at a rate of \$115.00 per hour for ice time during peak hours, and \$105.00 for non-peak hours, and will provide the City with appropriate insurance coverage naming the City of Rome as an additional insured.

Seconded by Councilor Varano

Motion to TABLE by Petty, seconded by Casadei and so ordered August 13, 2008

Motion to Remove from TABLE by Petty, seconded by Smith and so ordered September 24, 2008

Motion to RETABLE by Petty, seconded by Smith and so ordered September 24, 2008

Motion to Remove from TABLE by Petty, seconded by Sparace and so ordered November 12, 2008

Motion to RETABLE by Sparace, seconded by Smith and so ordered November 12, 2008

Motion to Remove from TABLE by Petty, seconded by Smith and so ordered February 11, 2009

Motion to RETABLE by Casadei, seconded by Vescio and so ordered February 11, 2009

Motion to Remove from TABLE by Darcangelo, seconded by Casadei and so ordered March 11, 2009

AYES: Sparace, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

EXCUSED: Varano

ADOPTED: MARCH 11, 2009

♦

JANUARY 28, 2009

RESOLUTION NO. 33 DEFEATED

ACCEPTING DONATIONS PRESENTED
TO THE CITY OF ROME'S
DEPARTMENT OF PARKS,
RECREATION AND COMMUNITY
ACTIVITIES RELATIVE TO THE
MEMORIAL PARK BENCH PROGRAM.

By Councilor Casadei:

WHEREAS, the Department of Parks, Recreation and Community Activities for the City of Rome has established a program to honor veterans and other community members, known as the Memorial Park Bench Program, which program will give the families of veterans the opportunity to purchase a memorial bench to be placed in Veterans Park, and

WHEREAS, the Memorial Park Bench Program will provide the opportunity to “purchase” a memorial bench, with a small personalized plaque or nameplate to be placed on the bench for a period of five (5) years, for \$250.00, per the outline dated January 9, 2009 attached hereto and by this reference made a part hereof, and

WHEREAS, the Rome City Charter states that the Common Council must authorize and accept donations made to the City of Rome on behalf of the City of Rome, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that donations received for the Memorial Park Bench Program shall be gratefully

accepted by the City of Rome, with a listing of any donations received to be reported as a communication to this Council and the City Treasurer in December of each year, and

BE IT FURTHER RESOLVED, that the Common Council hereby expresses its appreciation to all businesses and individuals who make donations to the City of Rome, New York for the Memorial Park Bench Program.

Seconded by Councilor Vescio

Motion to TABLE by Casadei, seconded by Vescio and so ordered February 11, 2009

Motion to Remove from TABLE by Darcangelo, seconded by Casadei and so ordered March 11, 2009

Motion to Amend so each donation receives recognition by Resolution by Darcangelo, seconded by Casadei and so ordered March 11, 2009

AYES: None

NAYS: Sparace, Petty, Smith, Casadei, Darcangelo, Vescio

EXCUSED: Varano

DEFEATED: MARCH 11, 2009

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Motion to adjourn by Petty, seconded by Smith and so ordered March 11, 2009.

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PROCEEDINGS

PUBLIC HEARING

WHEREAS, pursuant to the City of Rome Code of Ordinances (“Rome Code”), §80-24.1(a), by Ordinance No. 8472, the Common Council is considering an amendment to the Official Zoning Map of the City of Rome (“Zoning Map”), which will change the zoning designation of certain property located at 104 Lyndale Drive, from Neighborhood Commercial (“C-1”) to Single Family Residential (“R-1”), hereinafter said proposed amendment is referred to as “Proposed Zoning Amendment”, and

WHEREAS, pursuant to the Rome Code, §80-24.4(a), prior to any amendment to the Zoning Map being approved, a public hearing must be held at the next regularly scheduled

meeting of the Common Council after the introduction of the proposed amendment, which will permit all interested members of the public to comment on same, and

WHEREAS, pursuant to the Rome Code, notice of the public hearing must be published in the official newspaper of the City of Rome, at least seven days prior to the date the public hearing is to be held, and said public notice shall include the date, time and place of said public hearing, as well as a description of the substance of the proposed amendment, now, therefore,

BE IT RESOLVED, that the Common Council of the City of Rome, New York does hereby authorize the City Clerk to advertise notice of a public hearing pertaining to the amendment to the Official Zoning Map of the City of Rome, New York, as proposed by Ordinance No. 8472, which said amendment which will change the zoning designation of certain property located at 104 Lyndale Drive, from Neighborhood Commercial (“C-1”) to Single Family Residential (“R-1”), and

BE IT FURTHER RESOLVED, that the public notice published by the City Clerk be published in the official newspaper of the City of Rome to permit all interested persons to be heard, and that said notice set forth that the hearing will take place before the next regularly scheduled meeting of the Common Council to be held on the 25th day of March 2009, at 7:20 p.m., in the City of Rome Common Council Chambers, 2nd floor, City Hall, Rome, New York, as well as a description of the amendment to be discussed, at which time and place all interested persons will be heard thereon.

Louise S. Glasso, CMC
City Clerk

Rome Sentinel Co.

To Appear: March 17, 2009

Dated: March 12, 2009

One Time

Speakers:

Ann Cianfrocco – 102 Lyndale Dr. – Asking council support

Andrew Savoie – 404 N. Madison St. – Not in favor of rezoning or city demolition

♦ ♦ ♦

**COMMON COUNCIL MEETING
REGULAR SESSION
PROCEEDINGS**

**MARCH 25, 2009
7:30PM**

PRESENT: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

PLEDGE OF ALLEGIANCE

INVOCATION by President Mazzaferro

GENERAL PUBLIC HEARING

Ronald Townsend – 1112 Laurel St. – Regarding Res. No. 68, opposes the pool & soccer field being named after Councilor Casadei. Asking members of the council to table the legislation and consider naming the pool & soccer field after his father a former Mayor of the City.

Mary Anne Casadei – 604 Kent St. – Rich Miller proposed naming the pool & soccer field after Councilor Casadei for all the time he donated to the city as Clerk of the Works at Kennedy Arena.

Andrew Savoie – 404 N. Madison St. – Regarding Res. No. 68, Rich Miller did not think out the naming.

Joe Sallustio – 1212 N. James St. - Regarding Res. No. 68, there needs to be a time frame noting how long the naming is in effect – 1 year, 2 years or does the next Mayor get to rename the arena?

Sally Pratt – 1801 N. James St. – The city has a problem with cats that needs to be addressed

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Casadei, seconded by Vescio that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

The following businesses have notified the City Clerk's Office of their intention to renew liquor licenses:

Scotty's Hot Dogs

The Cove Sports Bar & Grill

China House Restaurant

6700 Martin St.

8530 Rome Westernville Rd.

503 N. James St. (Received & Filed)

NOTICES

Members of the Council to meet for GLDC update – March 25, 2009 @ 6:00pm

REPORT OF CITY OFFICIALS

Mazzaferro – 3 WR6's on this evening agenda

REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

Darcangelo – Finance committee has met regarding the naming of Kennedy Arena. It has been recommended that the legislation be withdrawn until further research can be done. For the record, Councilor Casadei donated months of his time to oversee the construction project at Kennedy Arena of a cost savings to the city of \$25,000.00

Varano – Regarding Res. No. 67, Municipal Operations Committee has met and we are working to save the residents as much money as possible.

Vescio – To Tallarino – NYS DOT working on speed study for Black River Blvd. & Erie Blvd.?

Tallarino – NYS is expected to start the study in June 2009 and various streets in the city will also be looked at for additional stop signs.

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MARCH 25, 2009

RESOLUTION NO. 60

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL TO
ATTEND CONFERENCE.

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Patrolmen Jason Fairbrother, Nicholas Martin and Brian Gualtieri of the City of Rome Police Department, be and are hereby authorized to attend a three-day conference entitled "Emergency Response to Domestic Biologic Incidents", sponsored by the New York State Preparedness Training Center, to be held in Oriskany, New York on April 21-23, 2009. There is no registration cost for attendance at this conference, with the only expected expense to be meal reimbursement.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MARCH 25, 2009

♦

MARCH 25, 2009

RESOLUTION NO. 61

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT SENIOR
INVESTIGATOR TO ATTEND
CONFERENCE.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Senior Investigator Jonathan Carr of the City of Rome Police Department, be and is hereby

authorized to attend a five-day conference entitled "Basic Juvenile Officers Course", presented by the New York State Police Juvenile Officers Association, to be held at the Westchester County Police Academy in Valhalla, New York on April 13-17, 2009. The anticipated expenses for attendance at this conference will include membership fee of \$50.00, lodging of \$445.00 and meal reimbursement of \$108.00, for a total of \$603.00.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MARCH 25, 2009

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MARCH 25, 2009

RESOLUTION NO. 62

EXPRESSING THE CITY OF ROME
COMMON COUNCIL'S
SUPPORT OF INCREASED FREIGHT
RAIL HAULING CAPACITY.

By Councilor Smith:

WHEREAS, state and federal transportation officials and others project that United States freight volumes will increase by more than 67 percent over twenty years, and

WHEREAS, the nation's highways are already stretched to capacity, and

WHEREAS, the efficient movement of goods is directly related to the strength of a nation's economy and its citizens' quality of life, and

WHEREAS, public policies promoting increased investment in freight rail infrastructure would result in increased freight rail hauling capacity, and

WHEREAS, expansion of freight rail hauling capacity would yield impressive public benefits by relieving worsening congestion, reducing highway costs, providing a critical intermodal link to international trade, and improving air quality and fuel efficiency, and

WHEREAS, relatively modest public investments in freight rail infrastructure would yield an impressive return on investment in the form of savings to motorists, businesses and taxpayers, and

WHEREAS, bi-partisan legislation was recently introduced in congress that would create tax incentives to increase investment in freight rail infrastructure, and

WHEREAS, this legislation if the type of proposal that the American Association of State Highway and Transportation Officials say is needed to accommodate increasing freight volumes and realize the public benefits that come from shipping more freight by rail, and

WHEREAS, Congress is considering proposals that would re-regulate freight railroads and these proposals would turn back the clock on the successes of re-regulation, devastating the railroads and freight transportation in this country, now, therefore,

BE IT RESOLVED, that the City of Rome Common Council endorses the Go21 mission of building a stronger economy, reducing highway congestion, improving air quality, using tax dollars more efficiently, and improving the quality of life by advocating for increased use of freight rail transportation, and

BE IT FURTHER RESOLVED, that the City of Rome Common Council endorses federal investment tax incentives to increase freight rail hauling capacity and

opposes any effort to re-regulate freight railroads, and

BE IT FURTHER RESOLVED, that the Rome City Clerk shall forward a certified copy of this Resolution to: the Honorable David A. Patterson, New York State Governor, the Honorable Michael Arcuri, United States Congressman, the Honorable Charles E. Schumer, United States Senator, the Honorable Kristen E. Gillibrand, United States Senator, the Honorable Joseph A. Griffo, New York State Senator, the Honorable David Valesky, New York State Senator, and the Honorable RoAnn Destito, Assemblyperson 116th District.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MARCH 25, 2009

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MARCH 25, 2009

RESOLUTION NO. 63

AUTHORIZING CITY OF ROME DEPARTMENT OF PUBLIC WORKS PERSONNEL TO ATTEND TRAINING CONFERENCE.

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Marc Anderson, an employee of the City of Rome Department of Public Works, Wastewater Treatment Plant, be and is hereby authorized to attend a training course entitled "Safety in Wastewater Treatment Facilities", sponsored by the New England Interstate Water Pollution Control Commission, said training to be held in Windham, New York on May 12, 2009. The registration cost for

attendance at this training course will be \$120.00, plus reimbursement for lunch, mileage and tolls.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,

Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MARCH 25, 2009

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MARCH 25, 2009

RESOLUTION NO. 64

ACCEPTING DONATION PRESENTED
TO THE CITY OF ROME'S
DEPARTMENT OF PARKS AND
RECREATION RELATIVE TO
VOGEL PARK.

By Councilor Petty:

WHEREAS, a local group of runners, known as The Roman Runners, has contacted the City of Rome Department of Parks and Recreation with the offer of a monetary donation to be used to purchase trees and related material at Vogel Park, which Park has been the victim of recent vandalism, and

WHEREAS, the Rome City Charter states that the Common Council must authorize and accept donations made to the City of Rome on behalf of the City of Rome, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that a donation of \$200.00 from The Roman Runners shall be gratefully accepted by the City of Rome, and

BE IT FURTHER RESOLVED, that the Common Council hereby expresses its appreciation to The Roman Runners for the donation of \$200.00 to be used to purchase

trees and relative material for Vogel Park, with the City Forestry Division to plant the trees as part of their normal tree planning operations.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,

Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MARCH 25, 2009

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MARCH 25, 2009

RESOLUTION NO. 65

ACCEPTING DONATION PRESENTED
TO THE CITY OF ROME POLICE
DEPARTMENT.

By Councilor Vescio:

WHEREAS, Wal-Mart has contacted the City of Rome Police Department with the offer of approximately 120 stuffed animals to be used by the Police Department in situations involving children, and

WHEREAS, the Rome City Charter states that the Common Council must authorize and accept donations made to the City of Rome on behalf of the City of Rome, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that a donation of approximately 120 stuffed animals from Wal-Mart shall be gratefully accepted by the City of Rome, and

BE IT FURTHER RESOLVED, that the Common Council hereby expresses its appreciation to Wal-Mart for the donation of approximately 120 stuffed animals to be used by the Rome Police Department.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MARCH 25, 2009

♦
MARCH 25, 2009

RESOLUTION NO. 66

AUTHORIZING AN APPOINTMENT TO
THE BOARD OF ASSESSMENT
REVIEW FOR THE CITY OF
ROME, NEW YORK.

By Councilor Petty:

WHEREAS, City Assessor Joseph J. Surace, Jr., has recommended the appointment of Stephen Granacki to the Board of Assessment Review for a five year term, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, pursuant to New York State Real Property Tax Law Section 523, that the following individual be and is hereby appointed to the Board of Assessment Review for the City of Rome, New York:

Stephen Granacki, 105 Bayberry
Court, Rome, New York
Term: October 1, 2008 to September
30, 2013.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MARCH 25, 2009

MARCH 25, 2009

RESOLUTION NO. 67

AUTHORIZING THE MAYOR TO
ENTER INTO AN
INTER-MUNICIPAL AGREEMENT
WITH ONEIDA COUNTY,
ENVIRONMENTAL HEALTH DIVISION,
RELATIVE TO COMPLIANCE WITH
FEDERAL AND STATE REGULATIONS
FOR THE CITY'S UNCOVERED
WATER RESERVOIRS.

By Councilor Smith:

WHEREAS, Frank D. Tallarino, Jr., Commissioner of Public Works for the City of Rome, has recommended that the City of Rome enter into an agreement with the County of Oneida, Environmental Health Division, for compliance with United States Environmental Protection Agency (USEPA) regulations concerning the City's uncovered water reservoirs, and

WHEREAS, said agreement shall set forth the regulations to be followed by the City of Rome, as a supplier of water as defined in the New York State Department of Health's Sanitary Code, in order for the City to be found in compliance with the rules promulgated by the United States Environmental Protection Agency (USEPA) relative to uncovered water reservoirs, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that it does hereby authorize the Mayor of the City of Rome to enter into an agreement with the County of Oneida, Environmental Health Division, whereby the City will provide for covered reservoir compliance, pursuant to the State and Federal regulations as aforesaid.

Seconded by Councilor Varano

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MARCH 25, 2009

♦
MARCH 25, 2009

RESOLUTION NO. 68 WITHDRAWN

RENAMING PORTIONS OF THE
JOHN F. KENNEDY CIVIC
ARENA/MUNICIPAL POOL
COMPLEX TO RECOGNIZE DONORS

By Councilor _____:

WHEREAS, the City of Rome, New York has undertaken the renovation of the John F. Kennedy Civic Arena /Municipal Pool complex, and

Locker Room #1	--	Adams Brothers Locker Room
Locker Room #2	--	Al Williams Locker Room
Locker Room #3	--	Buol Hinman Locker Room
Locker Room #4	--	Jonathan Roe Locker Room
Warming Room	--	Roy Austin Warming Room

Community Meeting Room --PAR Technology/Community Foundation of Herkimer & Oneida Counties Community Meeting Room

Referees' Room -- John & Marylou Butts Referees' Room

Seating Sections #1 & #2	--	Rome Savings Bank Seating Sections #1 & #2
Seating Section #3	--	Rome Strip Steel Seating Section #3
Press Box	--	Lefevre Family Press Box
Zamboni	--	Birnie Bus Service & Rome Community Foundation/Steven-Kingsley Fund Zamboni

Ice Surface	--	Bill Fleet Ice Surface
Municipal Pool & Soccer Field	--	Ron Casadei Municipal Pool & Soccer Field

and,

BE IT FURTHER RESOLVED, that the Common Council wishes to Recognize that internet service for the John F. Kennedy Civic Arena/Municipal

WHEREAS, certain individuals and organizations made monetary contributions to the renovation through the Arena Project Fund Raising Committee with the understanding that certain portions of the building and/or appurtenances would be named in honor of various benefactors, and

WHEREAS, the City of Rome wishes to recognize those individuals and organizations through the renaming of various portions of the building and its appurtenances, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the following portions of the John F. Kennedy Civic Arena/Municipal Pool complex shall be named and known as follows:

Pool complex was provided by Verizon, and that television services were provided by Time Warner Cable, and

BE IT FURTHER RESOLVED, that the Common Council expresses its gratitude on behalf of the City of Rome for the generous contributions made to the Arena Project Fund Raising Committee by the benefactors listed herein above, and

BE IT FURTHER RESOLVED, that the Department of Parks and Recreation is hereby directed to erect appropriate signage reflecting the naming of said portions of the building, and

BE IT FURTHER RESOLVED, that the City Clerk is directed to forward a copy of this resolution to each of the benefactors responsible for the contributions leading to the naming of the various portions of the building and its appurtenances.

Seconded by Councilor _____.

AYES & NAYS:

Sparace____Varano____Petty____Smith____
Casadei____Darcangelo____Vescio_____

ADOPTED:

DEFEATED:

♦

MARCH 25, 2009

RESOLUTION NO. 69

AUTHORIZING THE MAYOR TO
ENTER INTO A
MEMORANDUM OF UNDERSTANDING
WITH THE COUNTY OF ONEIDA
TO CONTRACT FOR ELECTRICITY
AND NATURAL GAS PRODUCTS.

By Councilor Smith:

WHEREAS, City of Rome Purchasing Agent Donna Piekarski has recommended that the City of Rome enter into a Memorandum of Understanding to include the City of Rome as part of an agreement whereby the County of Oneida shall act as the Lead Contract Agency to

procure electricity and natural gas products, and

WHEREAS, said agreement shall allow the City of Rome, through its Purchasing Department, to participate whereby Oneida County, via web-based reverse auction platform and other alternative methods, shall seek to obtain the lowest price energy services from the highest quality contractor, with participants in the Memorandum of Understanding to also include the City of Utica and Mohawk Valley Community College, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that it does hereby authorize the Mayor of the City of Rome to enter into a Memorandum of Understanding with the County of Oneida whereby Oneida County, via web-based reverse auction platform and other alternative methods, shall seek to obtain the lowest price energy services from the highest quality contractor, and

BE IT RESOLVED, that the aforesaid agreement shall be effective as of the latest date of signatures and shall remain in effect for the initial term of the contract executed on behalf of Oneida County.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MARCH 25, 2009

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WAIVE RULE SIX

MARCH 25, 2009

Motion to WR6 by Vescio, seconded by Petty and so ordered March 25, 2009

RESOLUTION NO. 70*

AUTHORIZING THE MAYOR OF THE
CITY OF ROME TO EXECUTE A
WORK BASED LEARNING
EXPERIENCE AGREEMENT WITH
MADISON-ONEIDA BOCES

By Councilor Vescio:

WHEREAS, the City of Rome, New York has been offered the opportunity to participate in the Madison-Oneida BOCES Work Based Learning Experience Program through an agreement whereby an internship is provided for a student to connect his or her school-based learning with authentic work-based experience, and

WHEREAS, Frank D. Tallarino, Jr., Commissioner of Public Works for the City of Rome is supportive of providing this experience and recommends that a student be assigned to Rome City Yard, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the Mayor of the City of Rome be and is hereby authorized to enter into an agreement with Madison-Oneida BOCES, Verona, New York, with regard to the Work Based Learning Experience Program, and

BE IT FURTHER RESOLVED, through the aforesaid agreement, the City of Rome will provide a work site, namely, Rome City Yard, to one BOCES student, on Tuesday, Wednesday and Thursday mornings beginning March 31, 2009 through April 30, 2009, and

BE IT FURTHER RESOLVED, that

for the duration of the aforesaid agreement Madison-Oneida BOCES will provide general liability insurance naming the City of Rome as an additional insured.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MARCH 25, 2009

♦

WAIVE RULE SIX

MARCH 25, 2009

Motion to WR6 by Petty, seconded by Vescio and so ordered March 25, 2009

RESOLUTION NO. 71*

AUTHORIZING THE MAYOR OF THE
CITY OF ROME TO ENTER
INTO AN AGREEMENT WITH THE
NEW YORK STATE OFFICE OF PARKS,
RECREATION AND HISTORIC
PRESERVATION FOR
GRANT FUNDING.

By Councilor Smith:

WHEREAS, Rome Police Chief Kevin Beach has requested that the City of Rome enter into an agreement for grant funding in the amount of \$6,000 from the New York State Office of Parks, Recreation and Historic Preservation for a Snowmobile Law Enforcement Grant, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the Mayor of the City of Rome, be and is hereby authorized and directed to enter into an agreement for grant funding from the New York State Office of Parks, Recreation and Historic Preservation for grant funding in the amount of \$6,000 for a Snowmobile Law Enforcement Grant, with the purchase

of said snowmobile to be accomplished by March 31, 2009, whereby the City of Rome will be reimbursed by the New York State Office of Parks, Recreation and Historic Preservation.

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MARCH 25, 2009

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MARCH 25, 2009

ORDINANCE NO. 8473

AUTHORIZING THE CLOSING OF A
PORTION OF NORTH JAMES STREET
FROM ERIE BOULEVARD TO WEST
LIBERTY STREET ON JUNE 6, 2009.

By Councilor Petty:

WHEREAS, Angela Petty, Councilor for the Third Ward of the City of Rome, has requested the closing of North James Street, from the southerly boundary of where North James Street intersects with West Liberty Street to the intersection of North James Street and Erie Boulevard, from 9:00 a.m. to 4:30 p.m. on Saturday, June 6, 2009, in conjunction with the Main Street Alliance Annual Garage Sale, now, therefore,

BE IT ORDAINED, that the Common Council of the City of Rome, New York does hereby authorize the closing of North James Street, from the southerly boundary of where North James Street intersects with West Liberty Street to the intersection of North James Street and Erie Boulevard, from 9:00 a.m. to 4:30 p.m. on Saturday, June 6, 2009, in conjunction with the Main Street Alliance Annual Garage Sale, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon The Rome Main Streets Alliance providing the City of Rome with a certificate of insurance in the amount of \$2,000,000 per occurrence for personal injury or death, and \$2,000,000 for property damage, or blanket coverage in the amount of \$4,000,000, naming the City of Rome as an additional insured, and indemnifying and holding the City of Rome harmless from any all liability arising out of the closing of North James Street, from the southerly boundary of where North James Street intersects with West Liberty Street to the intersection of North James Street and Erie Boulevard, from 9:00 a.m. to 4:30 p.m. on Saturday, June 6, 2009 as outlined hereinabove, and

BE IT FURTHER ORDAINED, that the above authorization shall take effect upon placement of the appropriate barriers at each end of the affected area.

Seconded by Councilor Smith
By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8473

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8473

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MARCH 25, 2009

♦

MARCH 25, 2009

ORDINANCE NO. 8474

AUTHORIZING THE SUSPENSION OF
PARKING FEES APPLICABLE AT THE
FORT STANWIX PARKING GARAGE
FOR A SET TIME PERIOD ON
JUNE 6, 2009.

By Councilor Petty:

WHEREAS, the Common Council of the City of Rome, New York, previously adopted parking rules and regulations pertaining to municipal parking areas, including fees for use of the municipal parking garages, within the jurisdiction of the City of Rome, and

WHEREAS, it has been recommended that the parking fees applicable to use of the Fort Stanwix (formerly known as the Liberty/James Street) Parking Garage be temporarily suspended on Saturday, June 6, 2009, during the hours of 6:00 a.m. to 6:00 p.m., to permit the free use of said garage by the general public during the Main Street Alliance Annual Garage Sale to be held at the Fort Stanwix Parking Garage, now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome, New York that the best interests of the citizens of the City of Rome are furthered by waiving the parking fees applicable for use of the Fort Stanwix Parking Garage to permit the free use of said garage by the general public during the Main Street Alliance Annual Garage Sale to be held on June 6, 2009, and

BE IT FURTHER ORDAINED, that after 6:00 p.m. on June 6, 2008, the suspension of fees authorized hereby shall expire and, on said date and time, all applicable parking fees shall be in full force and effect at the Fort Stanwix Parking Garage, and

BE IT FURTHER ORDAINED, that a copy of this Ordinance shall be forwarded by the Rome City Clerk to Frank D. Tallarino, Jr., Commissioner of Public Works, as well as to the Main Street Alliance of Rome.

Seconded by Councilor Smith
By Councilor Vescio

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8474

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8474

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MARCH 25, 2009

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MARCH 25, 2009

ORDINANCE NO. 8475

AUTHORIZING THE PLACEMENT OF
NO PARKING SIGNS ON BOUCK
STREET, NORTH OF ACE PLACE.

By Councilor Petty:

WHEREAS, Third Ward Councilor Angela Petty has requested that "No Parking" signs be placed on Bouck Street north of Ace Place on the east side of the roadway adjacent to St. John's Church, and

WHEREAS, Frank D. Tallarino, Jr., Commissioner of Public Works for the City of Rome, based on the field investigation of the area encompassing Bouck Street and Ace Place recommends the installation of

“No Parking” signs on Bouck Street north of Ace Place on the east side of the roadway adjacent to St. John’s Church, and

WHEREAS, the prohibition of parking on Bouck Street north of Ace Place on the east side of the roadway adjacent to St. John’s Church will alleviate concerns regarding access to St. John’s Church with vehicles parked on Bouck Street, now, therefore,

BE IT ORDAINED, that parking shall be prohibited on Bouck Street north of Ace Place on the east side of the roadway adjacent to St. John’s Church, pursuant to Public Works Commissioner Frank D. Tallarino, Jr.’s memorandum attached hereto and by this reference made a part hereof, and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon the posting of the proper sign reflecting the parking restriction, per the map attached hereto and by this reference made a part hereof.

Seconded by Councilor Vescio
By Councilor Smith

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8475

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8475

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MARCH 25, 2009

MARCH 25, 2009

ORDINANCE NO. 8476

AMENDING ROME CODE OF
ORDINANCES ARTICLE VI
CHAPTER 18 APPENDIX B TO
INCREASE THE FEES FOR PEDDLERS
AND TRANSIENT MERCHANTS

By Councilor Vescio:

WHEREAS, the Rome Code of Ordinances Article VI Chapter 18 Section 268 governs the fees charged to peddlers and transient merchants, and

WHEREAS, Seventh Ward Councilor, Philip Vescio and Louise S. Glasso, Rome City Clerk, has recommended that the fees for peddlers and transient merchants be increased to cover the administrative costs associated with the issuance of such permits, and

WHEREAS, the schedule for such fees is established in Appendix B of the Rome Code of Ordinances, now, therefore,

BE IT ORDAINED, by the City of Rome Common Council that Rome Code of Ordinances Article VI Chapter 18 Section 268, Appendix B is hereby amended to increase the fee for one-day permits issued to peddlers and transient merchants from \$25.00 to \$50.00, and the fee for annual permits issued to peddlers and transient merchants from \$100.00 to \$200.00 for the first cart, and \$100.00 for each additional cart, and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately.

Seconded by Councilor Sparace
By Councilor Petty

RESOLVED, that the unanimous consent of this Common Council be, and the

same hereby is given to the consideration of Ordinance No.8476

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ORDINANCE NO. 8476

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MARCH 25, 2009

♦

MARCH 25, 2009

ORDINANCE NO. 8477

AMENDING ROME CODE OF
ORDINANCES ARTICLE VI CHAPTER
18 SECTION 268 TO REQUIRE
INSURANCE FROM PEDDLERS AND
TRANSIENT MERCHANTS AS A
CONDITION TO THE ISSUANCE
OF PERMITS

By Councilor Vescio:

WHEREAS, the Rome Code of Ordinances Article VI Chapter 18 Section 268 governs the fees charged to peddlers and transient merchants, and

WHEREAS, Seventh Ward Councilor, Philip Vescio and Louise S. Glasso, Rome City Clerk, has recommended that peddlers and transient merchants be required to provide insurance to indemnify the City of Rome from any and all claims arising out of the permitted activity, now, therefore,

BE IT ORDAINED, by the City of Rome Common Council that Rome Code of Ordinances Article VI Chapter 18 Section 268 to read as follows:

Sec. 18-268. Permit fees.

Under this division, the fee for obtaining a one-day permit and the fee for obtaining an annual permit shall be as listed in the schedule of fees in appendix B to this Code. In addition, the recipient of any such permit shall provide the City proof of insurance indemnifying the City from any and all claims arising out of the permitted activity and naming the City as an additional insured in an amount to be determined by the Corporation Counsel.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately.

Seconded by Councilor Sparace
By Councilor Petty

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No.8477

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8477

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MARCH 25, 2009

♦

WAIVE RULE SIX

MARCH 25, 2009

Motion to WR6 by Vescio, seconded by Darcangelo and so ordered March 25, 2009

ORDINANCE NO. 8478*

AUTHORIZING THE CLOSING OF A
PORTION OF NORTH JAMES STREET
ON MARCH 28, 2009.

By Councilor Smith:

WHEREAS, Rome Police Chief Kevin Beach has requested the closing of North James Street, between Court and Liberty Streets, from 9:00 p.m. to 2:00 p.m. on Saturday, March 28, 2009, in conjunction with the funeral detail for Marine Lance Corporal Daniel J. Geary who was killed in the line of duty, now, therefore,

BE IT ORDAINED, that the Common Council of the City of Rome, New York does hereby authorize the closing of North James Street, between Court and Liberty Streets, from 9:00 a.m. to 2:00 p.m. on Saturday, March 28, 2009, in conjunction with the funeral services to be held for Marine Lance Corporal Daniel J. Geary who was killed in action in Afghanistan on March 20, 2009, and

BE IT FURTHER ORDAINED, that the above authorization shall take effect

upon placement of the appropriate barriers at each end of the affected area.

Seconded by Councilor Sparace
By Councilor Varano

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8478

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8478
AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MARCH 25, 2009

Motion to adjourn by Petty, seconded Sparace and so ordered March 25, 2009.

♦ ♦ ♦
**COMMON COUNCIL MEETING
REGULAR SESSION**

**April 8, 2009
7:30PM**

**PRESENT: Sparace, Petty, Smith, Casadei, Darcangelo, Vescio
EXCUSED: Varano**

PLEDGE OF ALLEGIANCE

INVOCATION by President Mazzaferro

GENERAL PUBLIC HEARING

Andrew Savoie – 404 N. Madison St. – video presentation regarding abandoned property in Rome

Sally Pratt – 1801 N. James St. - Need legislation to regulate cats

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Casadei, seconded by Vescio that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

Bruce Daniels, Member of MMC Development, LLC – has notified the City Clerk of their application for an “on premises” liquor license for 8525 Fish Hatchery Rd doing business as the “Delta Lake Inn” (Received & filed)

Oneida County Department of Planning’s mandated review of Lyndale Dr. – On file City Clerk’s Office

REPORT OF CITY OFFICIALS

Martin-Grande – Please leave Ord. No. 8472 on the Table, Planning Board needs to review

REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

Darcangelo- Det. Bates from the Police Department, gave a presentation at the 5th, 6th 7th ward neighbor meeting regarding home burglaries.

♦ ♦ ♦
APRIL 8, 2009

EXCUSED: Varano
ADOPTED: APRIL 8, 2009

RESOLUTION NO. 72

AUTHORIZING CITY OF ROME POLICE
SERGEANT TO ATTEND
COURSE OF STUDY.

♦
APRIL 8, 2009

RESOLUTION NO. 73

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Sergeant Steve Armstrong of the City of Rome Police Department, be and is hereby authorized to attend a two-day course of study entitled “Police Mental Health In-Service Curriculum”, sponsored by the New York State Division of Criminal Justice Services, to be held in Schenectady, New York on June 3-4, 2009. There is no registration cost for attendance at this course, with the only expected expense to be lunch reimbursement.

Seconded by Councilor Vescio

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None

AUTHORIZING CITY OF ROME POLICE
DETECTIVES TO ATTEND SEMINAR.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Detectives Eric Sochia, Ray Bolton and Jeff Race of the City of Rome Police Department, be and are hereby authorized to attend a one-day seminar entitled “The Reid Technique of Interviewing and Interrogation-Advanced Seminar”, to be held at the Onondaga County Community College in Syracuse, New York on April 17, 2009. There is no registration cost for attendance at this course, with the only expected expense to be lunch reimbursement.

Seconded by Councilor Vescio

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: APRIL 8, 2009

♦
APRIL 8, 2009

RESOLUTION NO. 74

AUTHORIZING CITY OF ROME POLICE
SERGEANTS TO ATTEND
NEW YORK STATE OFFICE OF
HOMELAND SECURITY TRAINING.

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Sergeants Dominic Corigliano and Mark Liddy of the City of Rome Police Department, be and are hereby authorized to attend a five-day course of study entitled "Weapons of Mass Destruction Tactical Operations", sponsored by the New York State Office of Homeland Security Training, to be held in Oriskany, New York on May 11 – 15, 2009. There is no registration cost for attendance at this course, with the only expected expense to be lunch reimbursement.

Seconded by Councilor Vescio

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: APRIL 8, 2009

APRIL 8, 2009

RESOLUTION NO. 75

AUTHORIZING CITY OF ROME POLICE
PERSONNEL TO ATTEND
CONFERENCE.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Captains Scott Wittmann, David Iacovissi and Sergeants Steve Armstrong and John Reilly of the City of Rome Police Department, be and are hereby authorized to attend a two-day conference entitled "Empire State Law Enforcement Traffic Safety Conference", to be held in Syracuse, New York on May 5-6, 2009. There is no anticipated cost for attendance at this conference.

Seconded by Councilor Sparace

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: APRIL 8, 2009

♦
APRIL 8, 2009

RESOLUTION NO. 76

AUTHORIZING CITY OF ROME POLICE
OFFICERS TO ATTEND
COURSE OF STUDY.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Police Officers Don D'Aiuto, Fred Carnevale, Derek Utter and Thomas Smith of the City of Rome Police Department, be and are hereby authorized to attend a training course

entitled "Certified Child Passenger Safety Technician Training", to be held in Boonville, New York on May 4-7, 2009. The registration cost for attendance at this training course is \$60.00 per person, with one-half of the cost to be paid for out of the Child Safety Seat Grant, leaving the City's share of the registration cost to be \$120.00.

Seconded by Councilor Vescio

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio

NAYS: None

EXCUSED: Varano

ADOPTED: APRIL 8, 2009

♦
APRIL 8, 2009

RESOLUTION NO. 77

**AUTHORIZING CITY OF ROME POLICE
PERSONNEL TO ATTEND
COURSE OF STUDY.**

By Councilor Vescio:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Detectives Eric Sochia and Jeff Race, as well as Patrolmen John William and Shawn Platt of the City of Rome Police Department, be and are hereby authorized to attend a five-day course of study entitled "Basic Investigative Photography", sponsored by the Mohawk Valley Police Academy, to be held in Utica, New York on April 20-24, 2009. There is no registration cost for attendance at this course, with the only expected expense to be lunch reimbursement.

Seconded by Councilor Casadei

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio

NAYS: None

EXCUSED: Varano

ADOPTED: APRIL 8, 2009

♦
APRIL 8, 2009

RESOLUTION NO. 78

**AUTHORIZING CITY OF ROME POLICE
PERSONNEL TO ATTEND
TRAINING SEMINAR.**

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Investigators Fred Robenski and Thomas Yoxall of the City of Rome Police Department, be and are hereby authorized to attend a one-day free regional training seminar hosted by Law Enforcement Associates, Inc., to be held in New Windsor, New York on April 14, 2009. There is no registration cost for attendance at this course, with the only cost to the City to be approximately \$80.00 for accommodations, plus meal reimbursement.

Seconded by Councilor Sparace

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio

NAYS: None

EXCUSED: Varano

ADOPTED: APRIL 8, 2009

♦
APRIL 8, 2009

RESOLUTION NO. 79

**AUTHORIZING CITY OF ROME WATER
POLLUTION CONTROL FACILITY
OPERATOR TO ATTEND
COURSE OF STUDY.**

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Marc Anderson,

Operator at the Water Pollution Control Facility, be and is hereby authorized to attend a one-day course of study entitled "Aeration Systems for Municipal WWTP's Application, Design & Energy Consideration", sponsored by the New York Water Environmental Association, Inc., to be held in Batavia, New York on April 28, 2009. The registration cost for attendance at this course will be \$40.00, with the expected expenses to include tolls, mileage and reimbursement for one meal.

Seconded by Councilor Petty

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: APRIL 8, 2009

♦
APRIL 8, 2009

RESOLUTION NO. 80

**APPOINTING COMMISSIONER
OF DEEDS.**

By Councilor Petty:

BE IT RESOLVED, by the Common Council of the City of Rome that the following individual be and is hereby appointed Commissioner of Deeds for the City of Rome, New York, for a term to expire December 31, 2010:

Joseph M. Vescio

and,

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Seconded by Councilor Vescio.

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: APRIL 8, 2009

♦
APRIL 8, 2009

RESOLUTION NO. 81

**AMENDING COMMON COUNCIL
RESOLUTION NO. 32 ADOPTED
FEBRUARY 11, 2009 REGARDING AN
IN-SERVICE TRAINING PROGRAM
FOR CITY OF ROME FIRE
DEPARTMENT PERSONNEL.**

By Councilor Vescio:

WHEREAS, the Common Council of the City of Rome, pursuant to Resolution No. 32 adopted February 11, 2009, authorized several members of the City of Rome Fire Department to attend an in-service training which is mandatory for their New York State Certification as codes officers, and

WHEREAS, it was noted in the aforesaid Resolution No. 32 that the total cost for attendance would be approximately \$3,850.00, including the cost of registration, tolls and mileage, and

WHEREAS, Fire Chief Ronald Brement has advised that accommodations will be required in order for attendance at an evening meeting to be held in conjunction with this in-service training, thereby increasing the total cost for attendance by an additional \$416.00, now, therefore,

BE IT RESOLVED, that City of Rome Common Council Resolution No. 32 adopted February 11, 2009 be and is hereby amended whereby the cost for attendance by several members of the Rome Fire Department at an in-service training which

is mandatory for New York State Certification, to be held in Liverpool, New York on April 14 – 17, 2009, shall be at a total cost not to exceed \$4,266.00, rather than the amount of \$3,850.00 as previously approved, due to the increased cost for accommodations, and

BE IT FURTHER RESOLVED, that the remainder of Resolution No. 32 adopted February 11, 2009 shall remain as originally set forth.

Seconded by Councilor Smith

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: APRIL 8, 2009

♦
APRIL 8, 2009

RESOLUTION NO. 82

AUTHORIZING CITY OF ROME
DEPARTMENT OF PUBLIC WORKS
EMPLOYEES WORKING AT THE
WATER FILTRATION PLANT
TO ATTEND COURSE OF STUDY.

By Councilor Sparace:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Gregory Keller, Chief Operator, Robert Samuels, Water Supply Maintenance Supervisor, as well as Mario Guerrieri and Mark Reed, Operators, employees of the City of Rome Department of Public Works at the Water Filtration Plant, be and are hereby authorized to attend a course of study entitled "Water Disinfection", to be held in Binghamton, New York on May 6, 2009. The registration cost for attendance at this course will be \$50.00 per person, as well as reimbursement for mileage, meals and tolls.

Seconded by Councilor Petty

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: APRIL 8, 2009

♦
APRIL 8, 2009

RESOLUTION NO. 83 TABLED

AUTHORIZING THE CITY OF ROME,
THROUGH ITS DEPARTMENT OF
COMMUNITY AND ECONOMIC
DEVELOPMENT, TO SUBMIT AN
APPLICATION ASSOCIATED WITH
THE NEW YORK STATE RESTORE
GRANT PROGRAM.

♦
APRIL 8, 2009

ORDINANCE NO. 8479

AUTHORIZING THE ISSUANCE OF A
BLANKET PEDDLERS'
PERMIT FOR PEDDLERS
PARTICIPATING IN THE MAIN STREET
ALLIANCE GARAGE SALE ON JUNE 6,
2009, PURSUANT TO CHAPTER 18,
ARTICLE VI OF THE CITY OF ROME
CODE OF ORDINANCES.

By Councilor Petty:

WHEREAS, City Clerk Louise Glasso has requested that a blanket fee for peddlers participating in the Main Street Alliance Annual Garage Sale on June 6, 2009, be issued to the Main Street Alliance of Rome for a fee of \$100.00, and

WHEREAS, the Common Council has determined that it is in the best interests of the City of Rome to allow this one-time blanket fee for a peddlers' permit on June 6,

2009, during the Main Street Alliance Annual Garage Sale for those vendors participating under the auspices of the Main Street Alliance of Rome, now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome, New York, that for those vendors and peddlers participating under the auspices of the Main Street Alliance and conducting business in the City of Rome on June 6, 2009, during the Main Street Alliance Annual Garage Sale, and not already possessing a valid transient retail business permit, the permit fee for the June 6, 2009 Main Street Alliance Annual Garage Sale, pursuant to the Rome City of Ordinances Article VI, shall be a one-time blanket fee of \$100.00, the same to be issued to the Main Street Alliance of Rome, and

BE IT FURTHER ORDAINED, that said one-time blanket permit shall be valid only for June 6, 2009, and that the said permit shall be contingent upon the filing of a completed application for the blanket

peddlers' permit by the Main Street Alliance of Rome with the Rome City Clerk.

Seconded by Councilor Vescio
By Councilor Casadei

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8479

Seconded by Councilor Sparace

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano

ORDINANCE NO. 8479

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: APRIL 8, 2009

♦

Motion to adjourn by Petty, seconded by Vescio and so ordered April 8, 2009.

♦

♦

♦

**COMMON COUNCIL MEETING
REGULAR SESSION
PROCEEDINGS**

**APRIL 22, 2009
7:30PM**

PRESENT: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

PLEDGE OF ALLEGIANCE

INVOCATION by President Mazzaferro

GENERAL PUBLIC HEARING

Ann Cianfrocco – 102 Lyndale Dr. – Requesting council support of Ord. No. 8472

Joe Ferlo – Rome Main Street Alliance – Requesting support of Res. No. 92

Andrew Savoie – 404 N. Madison St. – Asking council to Table Ord No. 8483

Sally Pratt – 1801 N. James St. – Cat issue is driving residents crazy! The tulips planted in Franklyn Field are beautiful

Brian Jones – 109 Lyndale Dr. – Requesting council support of Ord. No. 8472

John Panzone, Esq. – Barneveld – Requesting council support of Ord. No. 8483

Mathew Varvglese – 33 Hubbard St., Cortland, NY – Requesting council support of Ord. No. 8483

Andrew Savoie – Needs to address Mr. Varvglese –

Council President Mazzaferro – Individuals are given 5 minutes only –

Andrew Savoie – Asking council's vote to address Mr. Varvglese

Sparace – abstained, Varano – yes, Petty – yes, Smith – yes, Casadei – no, Darcangelo – no, Vescio – no, Mazzaferro – no.

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Casadei, seconded by Varano that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

The following businesses have notified the City Clerk's Office of their intention to renew liquor licenses:

Palisades Hotel
(Received & filed)

1921 N. James St.

Capitol Civic Center's financial report for quarter ended March 31, 2009 – On file City Clerk's Office. (Received & filed)

Jervis Library's financial report for quarter ended March 31, 2009 – On file City Clerk's Office.
(Received & filed)

Senior Citizen Council's financial report for quarter ended March 31, 2009 – On file City Clerk's Office. (Received & filed)

Rome Art & Community Center's financial report for quarter ended March 31, 2009 – On file City Clerk's Office (Received & filed)

Rome Historical Society's financial report for quarter ended March 31, 2009 – On file City Clerk's Office (Received & filed)

WR6 Communication by Vescio, seconded by Darcangelo and so ordered April 22, 2009
Planning Board unanimously recommended proposed amendment to the Zoning Map.
State Environmental Quality Review - (Received & filed)

REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

Casadei – Thanking administration for attempting to name the Pool & Soccer field after me. At the next council meeting I will present legislation to name the Pool after Sgt Uvanni and the Soccer Field after Lance Cpl. Geary.

APRIL 22, 2009

RESOLUTION NO. 84

AUTHORIZING CITY OF ROME
DEPARTMENT OF PUBLIC WORKS
PERSONNEL TO ATTEND
COURSE OF STUDY.

By Councilor Vescio:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Anthony Nash, Assistant Superintendent of Streets, Ben Watts, Working Foreman, and Ray Wakulik, MEO, employees of the City of Rome Department of Public Works, be and are hereby authorized to attend a New York State Asbestos Handler Course, to be held at the Environmental Compliance Management Corporation in Chittenango, New York on May 1, 2009. The registration cost for attendance at this course is \$180.00 per person, with reimbursement for mileage, tolls and lunch.

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: APRIL 22, 2009

♦

APRIL 22, 2009

RESOLUTION NO. 85

AUTHORIZING CITY OF ROME
DEPARTMENT OF PUBLIC WORKS
EMPLOYEE TO ATTEND
COURSE OF STUDY.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Rich Bohning,

Laborer for the City of Rome Department of Public Works, be and is hereby authorized to attend a New York State Asbestos Handler Course, to be held at the Environmental Compliance Management Corporation in Chittenango, New York on April 24, 2009. The registration cost for attendance at this course is \$150.00, with reimbursement for mileage, tolls and lunch.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: APRIL 22, 2009

♦

APRIL 22, 2009

RESOLUTION NO. 86

AUTHORIZING CITY OF ROME WATER
FILTRATION PLANT
EMPLOYEES TO ATTEND SEMINAR.

By Councilor Varano:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Greg Keller, Chief Operator, and Robert Samuels, Water Supply Maintenance Supervisor, employees of the City of Rome Department of Public Works at the Water Filtration Plant, be and are hereby authorized to attend a seminar entitled "How to Supervise People", to be held in Syracuse, New York on July 16, 2009. The registration cost for attendance at this seminar is \$79.00 per person, with reimbursement for mileage, tolls and lunch.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: APRIL 22, 2009

♦

APRIL 22, 2009

RESOLUTION NO. 87

AUTHORIZING CITY OF ROME WATER
FILTRATION PLANT
EMPLOYEES TO ATTEND
TRAINING COURSE.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Greg Keller, Chief Operator, Mario Guerrieri, Operator, and Robert Samuels, Water Supply Maintenance Supervisor, employees of the City of Rome Department of Public Works at the Water Filtration Plant, be and are hereby authorized to attend a training course entitled "Advanced Laboratory Skills", to be held in Syracuse, New York on November 5, 2009. The registration cost for attendance at this seminar is \$75.00 per person, with reimbursement for mileage, tolls and lunch.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: APRIL 22, 2009

♦

APRIL 22, 2009

RESOLUTION NO. 88

AUTHORIZING CITY OF ROME WATER
FILTRATION PLANT
EMPLOYEE TO ATTEND TRAINING.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Mark Reed, Operator, an employee of the City of Rome Department of Public Works at the Water

Filtration Plant, be and is hereby authorized to attend a training entitled "Pump Maintenance", to be held in Norwich, New York on October 14, 2009. The registration cost for attendance at this seminar is \$50.00, with reimbursement for mileage, tolls and lunch.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: APRIL 22, 2009

♦

APRIL 22, 2009

RESOLUTION NO. 89

AUTHORIZING CITY OF ROME WATER
FILTRATION PLANT
EMPLOYEES TO ATTEND TRAINING.

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Thomas Andrews, Michael Barbato, Robert Ciccotti, David Gardinier and Timothy Dombrowski, employees of the City of Rome Department of Public Works at the Water Filtration Plant, be and are hereby authorized to attend a training entitled "Basic Laboratory Skills", to be held in Syracuse, New York on July 14, 2009. The registration cost for attendance at this seminar is \$75.00 per person, with reimbursement for mileage, tolls and lunch.

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: APRIL 22, 2009

♦

APRIL 22, 2009

RESOLUTION NO. 90

**AUTHORIZING CITY OF ROME
PURCHASING AGENT
TO ATTEND TRAINING CONFERENCE.**

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Donna Piekarski, Purchasing Agent for the City of Rome, be and is hereby authorized to attend the 31st Annual New York State Association of Municipal Purchasing Officials, Inc. Spring Training Conference, to be held in Lake George, New York on May 7, 2009. The registration cost for attendance at this seminar will be \$150.00, with reimbursement for mileage.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: APRIL 22, 2009

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APRIL 22, 2009

RESOLUTION NO. 91

**AUTHORIZING CITY OF ROME POLICE
OFFICERS TO ATTEND
RECERTIFICATION
TRAINING COURSE.**

By Councilor Varano:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Sergeant Mark Liddy and Patrolman Merino J. Ciccone, of the City of Rome Police Department, be and are hereby authorized to attend a

Recertification Taser Instructor Training Course, to be held at the Albany Police Department in Albany, New York on May 4, 2009. The registration cost for attendance at this seminar is \$125.00 per person, plus reimbursement for meals.

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: APRIL 22, 2009

♦

APRIL 22, 2009

RESOLUTION NO. 92

**EXPRESSING SUPPORT OF THE CITY
OF ROME COMMON COUNCIL
FOR A MAIN STREETS ALLIANCE
GRANT APPLICATION FOR FUNDING
TO BE USED FOR THE ROME'S MAIN
STREET CORRIDORS,
AS PART OF THE NEW YORK MAIN
STREET PROGRAM.**

By Councilor Smith:

WHEREAS, Diane L. Shoemaker, Director of the Department of Community and Economic Development, has recommended that the City of Rome Common Council support the Main Streets Alliance in their grant application for funding in the amount of \$200,000 to be used to improve building and streetscapes along Rome's Main Street Corridors, as part of the New York Main Street Program, now, therefore,

BE IT RESOLVED, that the Common Council of the City of Rome, New York, by this Resolution, hereby expresses its support of the grant application for funding in the amount of \$200,000 to be filed by the Main Streets Alliance, said

funding to be used to improve building and streetscapes along Rome's Main Street Corridors, as part of the New York Main Street Program.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: APRIL 22, 2009

♦

APRIL 22, 2009

RESOLUTION NO. 93A TABLED

ACCEPTING DONATION OF FRAMED
PORTRAITS PRESENTED TO THE
CITY OF ROME.

♦

APRIL 22, 2009

RESOLUTION NO. 94

AUTHORIZING CITY OF ROME
TREASURER'S DEPARTMENT
PERSONNEL TO ATTEND
CONFERENCE.

By Councilor Sparace

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Pasquale Lisandrelli, Deputy Treasurer, Dianne Schink, City Accountant, and Denice Golden, Payroll Manager, employees of the City of Rome Treasurer's Department, be and are hereby authorized to attend a MUNIS User Group Conference, to be held in East Syracuse, New York on May 7, 2009. There is no registration cost for attendance at this conference, with reimbursement anticipated for tolls.

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: APRIL 22, 2009

♦

WAIVE RULE SIX

APRIL 22, 2009

Motion to WR6 by Petty, seconded by Smith
and so ordered April 22, 2009

RESOLUTION NO. 95*

AUTHORIZING CITY OF ROME
CORPORATION COUNSEL
STAFF TO ATTEND SEMINAR.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Diane Martin Grande, Corporation Counsel for the City of Rome, as well as Deana D. Previte and Gerard F. Feeney, Assistant Corporation Counsels for the City of Rome, be and are hereby authorized to attend a seminar sponsored by the Oneida County Bar Association, entitled "CPLR Annual", to be held in Utica, New York on April 25, 2009. The registration cost for attendance at this seminar will be \$75.00 per person, plus reimbursement for mileage.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: APRIL 22, 2009

♦

APRIL 22, 2009

ORDINANCE NO. 8480

AUTHORIZING THE CLOSING OF A
PORTION OF NORTH JAMES STREET
ON MAY 25, 2009 FOR A MEMORIAL
DAY PROGRAM.

By Councilor Petty:

WHEREAS, the Rome Memorial Day Association has contacted the City of Rome requesting the closing of a portion of North James Street, from West Liberty Street north to West Court Street on Monday, May 25, 2009, to allow for the annual Memorial Day Program, now, therefore,

BE IT ORDAINED, that the Common Council of the City of Rome, New York does hereby authorize the closing of a portion of North James Street, from West Liberty Street north to West Court Street, on Monday, May 25, 2009 from 10:15 a.m. to 11:30 a.m. to allow for the Annual Memorial Day Program to be held on said date, and

BE IT FURTHER ORDAINED, that on Monday, May 25, 2009 only, for the above-noted time period, parking on the west side of North James Street shall be limited to handicapped parking only, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon The Rome Memorial Day Association providing the City of Rome with a certificate of insurance in the amount of \$2,000,000 per occurrence for personal injury or death, and \$2,000,000 for property damage, or blanket coverage in the amount of \$4,000,000, naming the City of Rome as an additional insured, and indemnifying and holding the City of Rome harmless from any all liability arising out of the closing of that portion of North James Street, from 10:15 a.m. to

11:30 a.m. on Monday, May 25, 2009 as outlined hereinabove, and

BE IT FURTHER ORDAINED, that the above authorization shall take effect upon placement of the appropriate barriers at each end of the affected area.

Seconded by Councilor Smith
By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8480

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8480
AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: APRIL 22, 2009

♦

APRIL 22, 2009

ORDINANCE NO. 8481

AUTHORIZING THE PLACEMENT OF
NO PARKING SIGNS
ON AVENUE B, NORTH OF THE
INTERSECTION OF LOUISA STREET.

By Councilor Varano:

WHEREAS, Second Ward Councilor Thomas Varano has requested that “No Parking” signs be placed on Avenue B, north of the intersection of Louisa Street, and

WHEREAS, Frank D. Tallarino, Jr., Commissioner of Public Works for the City of Rome, based on the field investigation of

the area encompassing Avenue B, recommends the installation of “No Parking” signs on Avenue B with the parking restriction to be 50’ in length starting at the telephone pole on the west side of Avenue B traveling southerly towards Louisa Street, and

WHEREAS, the prohibition of parking on Avenue B, north of the intersection of Louisa Street will alleviate concerns regarding difficulty traversing the alley due to vehicles parked in the roadway, now, therefore,

BE IT ORDAINED, that parking shall be prohibited on Avenue B, north of the intersection of Louisa Street, pursuant to Public Works Commissioner Frank D. Tallarino, Jr.’s memorandum attached hereto and by this reference made a part hereof, and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon the posting of the proper signage reflecting the parking restriction, per the map attached hereto and by this reference made a part hereof.

Seconded by Councilor Casadei
By Councilor Vesio

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8481

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8481

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: APRIL 22, 2009

♦
APRIL 22, 2009

ORDINANCE NO. 8482A TABLED

AUTHORIZING THE CONVEYANCE OF
CITY PROPERTY TO THE
TOWN OF FLOYD.

♦
APRIL 22, 2009

ORDINANCE NO. 8483 TABLED

AUTHORIZING MAYOR OF THE CITY
OF ROME TO ENTER INTO
REHABILITATION AGREEMENT WITH
A BUYER AND APPROVING THE SALE
OF CITY OWNED PARCEL
TO BUYER CONTINGENT
ON A REHABILITATION AGREEMENT.

♦
APRIL 22, 2009

ORDINANCE NO. 8484

AUTHORIZING THE SUSPENSION OF
PARKING FEES
APPLICABLE AT THE LIBERTY PLAZA
(LIBERTY/GEORGE STREET)
PARKING GARAGE FOR A SET TIME
PERIOD ON MAY 9, 2009.

By Councilor Petty:

WHEREAS, the Common Council of the City of Rome, New York, previously adopted parking rules and regulations pertaining to municipal parking areas, including fees for use of the municipal parking garages, within the jurisdiction of the City of Rome, and

WHEREAS, it has been recommended that the parking fees applicable to use of the Liberty Plaza (formerly known as the Liberty/George

Street) Parking Garage be temporarily suspended on Saturday, May 9, 2009, during the hours of 5:00 p.m. to 12:00 midnight, to permit the free use of said garage by the general public during an event to be held at the Capitol Theatre entitled "Mohawk Valley Frasier's Celtic Show", now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome, New York that the best interests of the citizens of the City of Rome are furthered by waiving the parking fees applicable to use of the Liberty Plaza Parking Garage to permit the free use of said garage by the general public during an event to be held at the Capitol Theatre entitled "Mohawk Valley Frasier's Celtic Show", and

BE IT FURTHER ORDAINED, that after midnight on May 9, 2009, the suspension of fees authorized hereby shall expire and, on said date and time, all applicable parking fees shall be in full force and effect at the Liberty Plaza Parking Garage, and

BE IT FURTHER ORDAINED, that a copy of this Ordinance shall be forwarded by the Rome City Clerk to Frank D. Tallarino, Jr., Commissioner of Public Works, as well as to the Capitol Theatre.

Seconded by Councilor Sparace
By Councilor Smith

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No.8484

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8484

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: APRIL 22, 2009

♦
MARCH 11, 2009

ORDINANCE NO. 8472A

AUTHORIZING AN AMENDMENT TO
THE OFFICIAL ZONING MAP OF THE
CITY OF ROME TO CHANGE
THE ZONING DESIGNATION OF
CERTAIN PROPERTY
FROM NEIGHBORHOOD
COMMERCIAL TO
SINGLE FAMILY RESIDENTIAL

By Councilor Casadei:

WHEREAS, in an effort to, among other things, facilitate residential and commercial development within the City of Rome and to protect and enhance the best interests of the citizens and businesses of the City of Rome, the Common Council of the City of Rome adopted Resolution No. 7802A on April 28, 2004, which amended and updated the Zoning Code for the City and incorporated same as Chapter 80 to the City of Rome Code of Ordinances, hereinafter referred to as "Zoning Code", and, which, by doing so, established new zoning districts for the City of Rome and, a new zoning map for the City, hereinafter referred to as "Zoning Map", and

WHEREAS, pursuant to New York State General City Law §§20(24), 25, 28-a and 83 and the Rome Zoning Code, Articles 3 and 24, the City of Rome Common Council has the authority to amend both the Zoning Code and/or the Zoning Map when it is deemed said amendment would protect the health, welfare and safety of citizens and businesses and/or further the public interest, and

WHEREAS, that area of the City located at 104 Lyndale Drive, Rome, New York (hereinafter referred to as “affected premises”), as more fully set forth and described on the map and legal description, which are attached hereto and made a part hereof, is currently designated as a Neighborhood Commercial (“C-1”) Zoning District which, among other things contain small-scale commercial development integrated into and compatible with residential neighborhoods, and

WHEREAS, the commercial nature and use of the subject premises has been abandoned by its previous owners and the City of Rome now holds title to the said property, and

WHEREAS, 7th Ward Councilor Philip Vescio suggests that changing the zoning district designation of the affected premises from C-1 to a Single Family Residential (“R-1”) Zoning District may result in, among other things: re-development of the affected premises; a mitigation or elimination of the currently existing nuisance factors; and a return of parcel contained within the affected area to the City’s tax roll, and

WHEREAS, it is in best interests of the City of Rome to make the aforementioned amendment to the Zoning Map as said amendment will enhance and protect the health, safety and welfare of the City’s residents and businesses, and

WHEREAS, as required by §§80-3.3 and 80-24.3 of the Rome Zoning Code, the Common Council has referred the proposed Zoning Map amendment to the City of Rome Planning Board for report and recommendation, and

WHEREAS, upon review of the issue, the Planning Board has determined, among other things, that said amendment to the Zoning Map will protect the health, safety and welfare of the City’s residents

and businesses and recommends that the proposed amendment to the Zoning Map be adopted by the Common Council, which said determinations were contained in the Planning Board’s Report of Recommendations, which was filed with the Common Council on or about April 7, 2009, and

WHEREAS, the proposed amendment to the Zoning Map has been submitted for State Environmental Quality Review (“SEQRA”) and said review was completed on or about April 14, 2009, and

WHEREAS, the Common Council has held a public hearing regarding the proposed amendment on March 25, 2009, which said hearing permitted all interested persons to comment on the proposed amendment, now, therefore,

BE IT ORDAINED, by the City of Rome Common Council that the Rome Zoning Map be and hereby is amended by changing the zoning designation of the parcel located within the attached legal description from Neighborhood Commercial (“C-1”) to Single Family Residential (“R-1”), and

BE IT FURTHER ORDAINED, by the City of Rome Common Council that this Ordinance shall take effect immediately upon approval of this Ordinance.

Seconded by Councilor Vescio
By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8472

Seconded by Councilor Casadei

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano

Motion to TABLE and refer to Planning by Casadei, seconded by Sparace and so ordered March 11, 2009

Motion to Remove from TABLE by Vescio, seconded by Sparace and so ordered April 22, 2009

Motion to Amend to insert dates by Vescio, seconded by Casadei and so ordered April 22, 2009

ORDINANCE NO. 8472

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: APRIL 22, 2009

♦

APRIL 8, 2009

RESOLUTION NO. 83

AUTHORIZING THE CITY OF ROME,
THROUGH ITS DEPARTMENT OF
COMMUNITY AND ECONOMIC
DEVELOPMENT, TO SUBMIT AN
APPLICATION ASSOCIATED WITH
THE NEW YORK STATE RESTORE
GRANT PROGRAM.

By Councilor Vescio:

WHEREAS, Diane Shoemaker, Director of Community and Economic Development for the City of Rome, has recommended that the City of Rome submit an application with the New York State RESTORE Grant Program, as said Program is consistent with the City of Rome's local revitalization plan, with a 10% program match to be provided by the City of Rome through a combination of CDBG rehabilitation funding, in-kind services, and/or private sources, and

WHEREAS, Diane Shoemaker further notes that the Rome Brownfield Opportunity Area (BOA) Implementation Strategy involves the demolition and

rehabilitation of commercial, residential and mixed-used properties – including a seven acre brownfield in Rome's 500 acre BOA. A three pronged approach focuses on neighborhood stabilization in Rome's urban core: First, the rehabilitation of vacant commercial and mixed-use properties to provide Energy Star certified commercial and residential space in Rome's downtown, second, the demolition of vacant and abandoned residential structures in core neighborhoods to encourage new investment, and third, the rubbleization and site preparation of a critical canal front brownfield to expand industrial capacity and create jobs. Supported by the City's Comprehensive Master Plan, Urban Design Plan, Main Street Development Assessment, and the BOA Nomination Study, this RESTORE NY initiative will energize our local tax base, leverage private investment and position Rome for prosperity in the new economy, now, therefore,

BE IT RESOLVED, that the Rome Common Council agrees that the RESTORE project is consistent with the City of Rome's local revitalization plan; the proposed funding is appropriate for the project; the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and the project develops and enhances infrastructure and facilities in a manner that will attract, create and sustain employment opportunities in Rome, and

BE IT FURTHER RESOLVED, by the Common Council of the City of Rome, New York, that Diane Shoemaker, Director of Community and Economic Development for the City of Rome, New York, and/or the Mayor of the City of Rome, be and are hereby authorized and directed to file an application for \$2.5 million funding with the New York State Restore Grant that the City of Rome intends to pursue.

Seconded by Councilor Casadei

Motion to TABLE by Vescio, seconded by
Casadei and so ordered April 8, 2009

Motion to Remove from TABLE by Petty,
seconded by Darcangelo and so ordered
April 22, 2009

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: APRIL 22, 2009

Motion to adjourn by Casadei, seconded by Sparace and so ordered April 22, 2009.

♦ ♦ ♦
**COMMON COUNCIL MEETING
SPECIAL MEETING
SOUTH ROME SENIOR CENTER**

**APRIL 29, 2009
6:00PM**

PRESENT: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

PLEDGE OF ALLEGIANCE

MATTERS FOR CONSIDERATION

MAYOR'S STATE OF THE CITY ADDRESS



OFFICE OF THE MAYOR

198 NORTH WASHINGTON STREET ♦ ROME, NEW YORK 13440-5815

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Telephone (315) 339-7676 ♦ Fax (315) 339-7788

STATE OF THE CITY ADDRESS

Mayor James F. Brown

April 29, 2009

Good evening.

Today, as at no other time in the past 60 years, our nation is faced with great challenges – economic turmoil, failed banking and investment institutions, environmental questions, a continuing war on terrorism, and most recently, a flu epidemic – all of which test our resolve as a nation and as a people. It is against this backdrop that I deliver my sixth State of the City address.

The success of this administration and of our nation as a whole is tied to our ability to change and adapt to the challenges facing us. We have set the course for the City of Rome to grow and evolve. By staying this course, we can, and will, continue our economic growth, stabilize taxes and achieve a quality of living that is unsurpassed in the region.

As I begin my address, I extend my thanks to our host, the South Rome Senior Center, for opening its doors to us tonight. Over the past two years, we have worked with Lyle Sanborn to fix the roof, porch and interior of this facility which is essential to providing our seniors with a quality place to gather. From its kitchen, where meals are made and distributed to the elderly, to its state-of-the-art projection system, to wonderful meeting and gathering places, the center not only meets the needs of its membership today but is also poised to meet their future needs as well. We're proud of Lyle's commitment to his members, and what we've been able to help him achieve.

Honors & Awards

I would like to take a few minutes to honor two individuals for their passion and their excellence in support of our community.

First, I would like to recognize this year's recipient of the Shirley B. Waters Civic Award for public service – Gretchen Sprock.

Gretchen Sprock

Gretchen Sprock is a remarkable woman who passionately believes in the potential of our hospital and our students and devotes countless hours to helping both become pillars of this community.

As a member of the Rome Twigs, Gretchen is at the forefront of the effort to keep Rome Memorial Hospital a top notch healthcare facility. The Rome Twigs have raised thousands of dollars for equipment to improve the level of care the hospital provides to our residents.

Through her work with the Rome College Foundation, Gretchen helped raise thousands of dollars for scholarships for deserving students from Rome Free Academy, Rome Catholic School and the New York State School for the Deaf. Gretchen helped make the dream of college a reality for many students. She was also instrumental in the foundation's recognition program for educators.

Gretchen also works tirelessly to help aid children with disabilities.

She is truly an exceptional person and one who makes a significant contribution that directly affects the lives of all of us in this community.

Steve Smits

Last year, we started a new tradition, and instituted Community and Career Achievement Award in honor of former City Engineer and Public Works Commissioner Frank Clark.

The Frank J. Clark Jr. Award for Career Achievement pays tribute to those who enhance the City of Rome and its residents through achievement, investment, community development or a career devoted to excellence.

Tonight, we recognize Steve Smits, whose career in public service spans more than 33 years.

Despite a career which has seen him climb to the rank of associate regional commissioner of the state Office of Mental Retardation and Developmental Disabilities, Steve is one of the most humble, most dedicated and most respected individuals not only in this city but throughout this state agency.

Steve is a staunch advocate and friend of the disabled. Throughout his career, he helped thousands of individuals with disabilities achieve independence, integrate into the community and lead active and fulfilling lives. He is also a tireless advocate for their families as well.

A long time member of the Board of Directors of the Senior Citizens Council of Rome, he also served on the boards of the Greater Rome Area United Way, Children's Corner of Rome, Inc., the Oneida County Office for the Aging

and Continuing Care advisory board; and is a member of the Board of Trustees and two-term president of Western Town Library.

I applaud Steve not only for a long and distinguished career but for a life led in service to others.

Acknowledgements

I would also like to take a minute to acknowledge our many partners in our combined efforts to move our community forward, including:

- ❑ Senator Chuck Schumer,
- ❑ Senator Kirsten Gillibrand
- ❑ Congressman Mike Arcuri
- ❑ State Senator David Valesky,
- ❑ State Senator Joe Griffo
- ❑ Assemblywoman RoAnn Destito,
- ❑ Oneida County Executive Tony Picente,
- ❑ The governor's regional representative Jennifer Muthig,
- ❑ Our County Legislators, and
- ❑ Common Council President John Mazzaferro and members of the Rome Common Council.

Looking Back, Looking Forward

Typically, this is the point in my address in which I would outline the accomplishments of 2008. And there was much that was accomplished during the last year but there were also opportunities that were lost in partisan bickering that did not serve the interests of the taxpayers or this community.

Throughout my time as mayor, I have worked hard to bring focus within city government and drive home the point that all of us are accountable to the taxpayers of the City of Rome. I truly believe that the future of this community is bigger than party politics.

We are at a crossroads in our city's history. We can't afford to go backwards or to stand still. We must move ahead. We must learn to compete in the global market. To do this, it is critical that we revitalize and stabilize our neighborhoods. Good neighborhoods are essential to new growth, to increased jobs and to new business opportunities, to lower crime and to safer streets.

In 2009, the City of Rome is embarking on the most comprehensive and ambitious plan to revitalize our neighborhoods in the last 60 years.

To rebuild this community we must:

- Improve our economy in targeted commercial areas;
- Clean up or demolish abandoned and neglected properties;
- Improve the city's infrastructure, particularly our housing to make our community more livable;
- Improve downtown's visual appeal; and
- Expand opportunities for housing and employment for residents with a focus on low to moderate income individuals.

NEIGHBORHOOD REVITALIZATION: Reinvesting in South Rome

While we have historically been able to provide sufficient choices for housing, we have many residents who do not qualify for public assistance but still struggle to find decent, affordable housing.

In just a few short weeks, the Canal Village Project by Housing Visions will begin an investment of nearly \$8 million to construct the first "green" housing development in Rome . . . a beautiful – and sustainable – housing development that will revitalize the 400 block of South James Street.

This project will make quality, affordable housing available to factory workers, new teachers, grocery clerks and others. These improvements will provide families with modern and energy efficient living spaces and will make the entire neighborhood safer, more attractive and more conducive to business and job growth.

NEIGHBORHOOD REVITALIZATION: Revitalizing West Rome

We need to develop a public/private partnership to completely renovate, rehabilitate and revitalize the Liberty Gardens development in West Rome, and I support the Rome Housing Authority's efforts to develop a Request for Proposals to further develop this public-private partnership. I anticipate that this RFP will be out within the next two weeks and we can begin this process which is so crucial to our residents.

Such a partnership can take advantage of state and federal grants and tax credits that municipalities cannot. By working together, we can, and will, not only improve housing conditions for low to moderate income individuals and families in West Rome but develop conditions to enhance the entire neighborhood. We need to make once thriving businesses successful again – and the first step in this process is to get Liberty Gardens back on track. I know it, and you know it.

We are already paying for the problems there now in increased public safety calls, increased court costs, increased social services expenses and broken individuals and families. The time for change is now.

We need only see the impact at Park Drive Manor I and II, where a public/private partnership using state grants and tax credits, has spurred an \$8 million investment in these properties. These improvements are already making a tremendous difference in the lives of residents and having a ripple effect on adjacent properties.

We can, and will, turn our neighborhoods around, block by block, street by street; and neighborhood by neighborhood.

NEIGHBORHOOD STABILIZATION – Abandoned properties

Because of our past success and aggressive pursuit of grants, the City of Rome was recently awarded more than half a million dollars through the New York State Neighborhood Stabilization Program (NSP) to buy, rehabilitate and resell foreclosed and abandoned properties and demolish those that are beyond repair. This project is all part of a much larger strategic vision for neighborhood revitalization.

Our successful application was the result of a sustained and coordinated effort by Diane Shoemaker and her team in the Department of Community and Economic Development. This team has secured millions upon millions of dollars to fund streets, parks, housing and economic development opportunities in our City:

- Look at North James Street;
- Look at the new 60,000 square feet American Alloy Steel building on East Dominick Street; and
- Look at the new Pinti Field.

The commitment of this department to our community is truly amazing. I also thank our state officials, particularly Assemblywoman RoAnn Destito, State Sen. David Valesky and State Sen. Joe Griffo for their continued support of our revitalization efforts and applications.

As you know, government cannot do any of this alone.

Our partners in the efforts to revitalize our neighborhoods, the Main Streets Alliance and Rome Clean & Green both have received state and federal funds for neighborhood revitalization. The Main Streets Alliance which has been a work in progress for over five years with people like Joe Ferlo, Joanne Bush, Jim DiBella and Grace Bottini have been steadfast in their efforts to make a difference in our downtown.

They are working on renovating two long-time eyesores on North James Street – in the heart of our commercial corridor. With the improvement of these two parcels – as well as more than 10 façade improvement projects slated for 2009 – we will continue to see immense progress.

Construction at the REACH Microenterprise Center will continue through the year. The City and Rome Up and Running have been working with Mohawk Valley Community College and the Workforce Investment Board to

provide a valuable opportunity for Rome college students to gain hands-on construction experience actually completing a phase of the interior buildout of the Center.

By 2010, the REACH building will be the “center” of small business development for Rome and the Mohawk Valley, providing avenues for creative minds and entrepreneurship to solidify Rome’s position in the new economy. Technical assistance combined with financial incentives turn ideas into jobs. The Rome Entrepreneur Assistance Program (REAP) has helped over 50 small Rome-grown businesses open their doors and strengthen our Main Street economy.

Another important tool in our efforts to stabilize our neighborhoods is the Enhanced Neighborhood Improvement Program. As a demonstration project for the state, our goal is to complete 40 projects by the end of 2009. As part of this program, families will receive whole-house energy-star improvements to keep home ownership affordable and accessible. We are building stronger neighborhoods and as a result we are building a stronger and “greener” city.

Economic Development

Neighborhood revitalization is clearly tied to future economic development.

But without jobs – good paying jobs -- and without a strong commercial and industrial tax base - no community can grow or change. Over the past year, the complete overhaul of our policies and programs was instrumental in our growth and redevelopment. But it does not stop there.

In 2009, we will continue to aggressively pursue:

- Waterfront Development;
- Downtown Development; and
- Brownfield Cleanup and Revitalization.

During the last year, we witnessed the culmination of years of effort to clean up the former General Cable site after 50 years of decline and decay. Rising out of the debris of an abandoned factory site is the new location of American Alloy Steel – project that not only creates new jobs but saved the jobs of dozens of local employees. Art Moore, the owner of American Alloy Steel chose Rome to expand his business. He could have gone anywhere in the country – but he chose Rome because my team aggressively marketed our infrastructure and assembled a development package second to none.

The American Alloy Steel project was a part of the city’s first RESTORE-NY Grant. In the first RESTORE grant, the city received \$1.5 million – which was used to not only clean up and redevelop the old General Cable site but also the unsightly intersection at Erie Boulevard and South James Street which led to the new state-of-the art Walgreen’s Pharmacy.

Later this fall, we will see some of the last remnants Rome Cable tumble as part of our second RESTORE-NY grant of \$2.5 million. Soon, demolition will commence on one of the largest industrial relics that has contributed to the blight and urban decay of Rome for far too many years. We will immediately capitalize on yet another huge marketing opportunity.

Our successes in the first two rounds of the RESTORE-NY program, will help us secure an additional \$2.5 million in RESTORE III funds. Under this grant, we are actively pursuing the redevelopment of four iconic properties - Old City Hall, Grand Hotel, Rod Mill Site and 1333 E. Dominick St. (the old Nolan Building). The restoration of these properties is crucial to our Brownfield Opportunity Area Revitalization strategy and the elimination of environmental threats to our residential and commercial areas.

More environmental cleanup is well underway and will be substantially completed at five other properties:

- 1030 E. Dominick St. (an old gas station)
- 1201-1207 E. Dominick St. (another old gas station)
- 508 W. Liberty St. (the former Jenny building)
- 701 Lawrence St. (former Inland Fuel facility)

I am encouraged by the redevelopment of the former Price Chopper strip mall on Black River Boulevard. Its new tenants, Easy Home and Planet Fitness are proving that Rome is an outstanding place to do business. In fact, a new business is expected to break ground in this mall within the next two weeks.

I am pushing my team to put us into a position to capitalize on every opportunity that can move Rome forward. No project is too big or too small.

Nothing is out of our reach. Nothing.

Finances

Last fall, in addition to freezing the salaries of management confidential employees I made the difficult but necessary decision to lay off nearly two dozen workers and eliminate a host of part-time and seasonal positions. These layoffs were necessary in order to make this organization leaner and more cost efficient for the taxpayer. We must continue to keep taxes stable by cutting costs wherever and whenever possible.

I have made a commitment to reduce the City of Rome's debt burden by an additional \$1 million per year. This will be accomplished by capping total capital expenses in any given year at \$2 million as we continue to pay down debt at a rate of approximately \$3 million per year.

This action will systematically reduce out bonded indebtedness every year and will, in the long term, improve how bond rating agencies look at us. We are also working diligently on building reserves in the Water Fund in order to continue to modernize and improve our aging distribution system.

I will be signing, within the next few days, an agreement that will allow the City to accept tax payments with credit cards. Thanks to a change in the law, there will be no cost to the city for this service. This added convenience to the taxpayer should be in place by the end of May.

Our fiscal responsibility has been key in continued growth in our tax rolls. According to Assessor Joe Surace, already this year the city has seen more than \$4 million of growth – marking the sixth consecutive year of growth in our tax rolls.

In addition to sustained growth, the City of Rome is also focusing on additional ways to consolidate or regionalize services to save taxpayers money. The Purchasing Departments for the City of Rome and Oneida County have met and are working to share contracts to save money in such areas as office supplies, vehicle fuel, crushed stone and gravel and equipment.

Additionally, the City of Rome, City of Utica, Mohawk Valley Community College with Oneida County, acting as lead agency, are currently working on a joint reverse energy auction. This auction is the first of its kind for governments in New York State. This procedure will help cut our energy costs and help us lock in on lower prices.

Public Safety

Regardless of our successes in neighborhood revitalization and economic development, if our residents are not safe, we have achieved nothing. Public safety is job one for any government and we are committed to continuing to insure that we provide our police, fire and codes departments with the state of the art equipment and training to do their jobs.

Today, every community nationwide faces tremendous challenges as criminals become more technologically savvy. They are more mobile and it is no surprise that our public safety officials dealing with crime and violence that travels the Thruway north and west from New York City.

To continue to combat crime in our city, the Rome Police Department is undertaking the following initiatives:

- Development of bi-weekly television and radio shows, along with a weekly column in the Rome Observer entitled "Crime Watch" to get information out to our residents and to encourage the community to be active participants in keeping our city safe.

- Development of a new website to provide direct and secure connection between the public and the police department which will provide information on police and crime related news.
- To install an A.V.L. (Automated Vehicle Locating) system in all patrol vehicles. This system will enable the 911 center, along with the individual patrol vehicles, to view a real time mapping system and reduce response time to "in progress" police calls by allowing the 911 center to immediately send the closest available cars to an incident.

I am proud to welcome a new Fire Chief to the Rome Fire Department. Chief Ron Brement has been a talented and dedicated member of this department for more than 25 years. I am confident that under Ron's great leadership, the Rome Fire Department will become an even greater asset to this community and its residents.

I thank outgoing Chief Roger Sabia for his more than 40 years of service to this community. Chief Sabia has made this community's safety his life's work, and I appreciate his commitment to the department and our residents.

Codes

Our Codes personnel continue to be on the front lines in keeping our city safe and clean.

In 2008 alone, our Codes Department brought more than 100 residences into compliance. Working with the Corporation Counsel's office, legal proceedings were brought against dozens of property owners who refused to follow the rules. Likewise, 40 other buildings were classified as unfit and unsafe and more than two dozen badly deficient properties were demolished.

In the coming year, our Codes Department will look to:

- Study the merits of an Examining Board of Electricians and HVAC to eliminate abuses in the system;
- Continue to aggressively pursue violations in the Code at both large scale properties and at individual apartments and homes across the city;
- Address the historical problem of property owners importing and stockpiling hard fill which are both unattractive and potentially unsafe.

In 2007, New York State mandated local communities begin a Fire Prevention Inspection Program. The mandate, which came with no state funding to implement, was a challenge to meet – but we have not only met this challenge but have been able to do so without adding to our property taxes.

Through the joint efforts of the Code Enforcement Office and the Fire Department, our inspectors are ensuring the safety of the structures and citizens in Rome, New York.

The law requires all buildings other than one- and two-family homes to be inspected periodically and to enforce the correction of deficiencies. I am pleased to say that in 2008, there were zero fatalities from fires in the City of Rome.

Parks

Last week, our Parks Department was honored by the New York State Parks and Recreation Society with the naming of the barrier-free playground at Guyer Field as the state's Most Outstanding Facility in Class II (Small Cities).

The past year has been an immensely busy year in our Parks Department with the completion of renovations at Guyer Field, the completion of Phase I rehabilitation of Pinti Field, and the completion of Phase I of the J.F. Kennedy Civic Arena Renovation Project.

Wherever I go throughout the county or state, I constantly hear about how impressed people are with the arena project and the complete transformation of this facility. We can, and should be, rightfully proud of this tremendous project. I have directed our staff to begin developing plans for Phase II of the project which would include expansion of the warming room, the concession room as well as construction of a fifth locker room. I am grateful

for the support of Sen. Valesky and Assemblywoman Destito who together have helped secure more than \$225,000 for this phase of the project.

I have also directed our parks staff to develop a business plan for the redevelopment of Building 440, the former “Base Gym”, to turn this structure into a Community Recreation facility for the people of Rome. We can, and should, use this asset to meet and enhance our community’s social and recreational needs. We can, and should, use this facility to partner with the Griffiss Federal Employees Child Care Group so that this building, which is perfectly suited for both child care and recreation, is an effective tool for keeping and attracting new businesses and residents.

This facility represents an extraordinary opportunity for our community, and we can, and must, find creative ways to potentially develop this facility without burdening our taxpayers.

In conjunction with the development of the Canal Village Housing Vision’s project on South James Street, the Department of Parks & Recreation will soon begin a comprehensive renovation of Gryziec Park. The park, just three blocks from the new development, plays a key role in the lives of residents of South Rome.

Public Works

We must continue to provide services, whether in parks or public works in the most cost effective manner possible.

As part of our education and enforcement effort on trash collection and recycling, will be the introduction of biodegradable green waste bags. The bags will make leaf and green waste collection more efficient, reduce machinery and manpower costs and lower tipping fees by taking tons of leaves and greens out of the waste stream. This waste can then be diverted to productive uses such as compost.

But this alone will not provide the necessary cost containment we need. We can’t afford to throw out good money with the trash.

This year, we must return to a three-can limit for trash pickup. Although we will still have bulk item pickup, we simply cannot afford the luxury of unlimited trash pickup any longer.

I have instructed our Department of Public Works to pursue grant funding through the New York State Energy Research and Development Authority (NYSERDA) Block Grant Program for retrofit incentive projects, including energy efficient windows, doors, lighting , HVAC upgrades and other eligible projects, including alternative energy projects, at all eligible city buildings.

The City has recently completed a self-study on the feasibility of solar panels and other alternative energy options for municipal buildings. By working together, Chief of Staff Tammy Burkhart, DPW Commissioner Frank Tallarino and Public Safety Commissioner Jim Masucci have developed competitive applications and will seek to pursue stimulus funding for these projects, which I believe will save taxpayers significantly in both the short and long-term.

We are also actively and aggressively pursuing federal and state stimulus funding to comply with unfunded mandates for drinking water. To comply with the new regulations in the most cost effective way, the City of Rome is considering construction of two large water towers – at an approximate cost of \$30 million. We have, and will continue to, work with our state and federal officials to try to defray these costs.

In the coming year, we will also see the completion of the Master Plan for the Water Filtration Plant as well as the completion of the aeration system at the Water Pollution Control facility.

Lastly, in 2009, the city will utilize \$1.5 million in CDBG and CHIPS funding for the annual streets program. Additionally, improvements to the Liberty/George Parking Garage, including concrete repairs, elevator repairs, installation of security cameras and lighting upgrades will be completed this year.

Website/Information Technology

Consolidation of the citywide information technology infrastructure and integrating City Hall, the Police and Fire Departments, and outlying buildings and departments has significantly reduced our IT costs while also providing better service for taxpayers.

Before consolidating these efforts in one contract, the city paid more than \$577,000 for computers and support. This year, we anticipate paying less than \$140,000 for more and better service. The decision we made for the customer, the taxpayer, has been totally productive.

In addition, to the cost containment, there have been improvements as well that have benefitted taxpayers and city departments. Working with our contractor, MA Police Consulting, we have:

- Implementing a citywide wireless network for the Police Department which provides patrolmen with real time access to criminal justice systems while on the street;
- Centralized management of information technology systems and developed an efficient help desk to provide support for front-end system users;
- Upgraded applications for Real Property records, Wastewater computer programs, and improved e-mail system and efficiency.

With the help of MA Police Consulting, we will soon embark on a new city website. Although our old website served its purpose, it was not user-friendly. Our new website will help residents access key information more easily and to be better able to access city personnel.

Communication is vital and the need to be able to access information quickly and easily is essential for homeowners, businesses and prospective developers.

I thank the following individuals for assisting MA Polce with this project, specifically Jim Masucci, Ryan Stockbridge, Butch Conover, Dennis Gillen, Chris Mercurio, Kevin Beach and Rich Miller.

Closing

I have tried over the course of the last five years to do what I think is best for this community – to lead with integrity and fiscal responsibility, to demand accountability, to seek excellence in our operations and to serve with respect and compassion.

I am passionate about good government. And while, I have not always been perfect, I have always put the needs of the people of this community first and foremost.

In the last two months, our community has laid to rest two of its fallen heroes – Lance Corporals Michael Geary and Blaise Oleski. I don't think there is anything that has put things more into perspective for me than the lives of those two young men. It is very easy to become engrossed in self-servicing rhetoric and partisan politics. But the lives of Geary and Oleski, and Sgt. Michael Uvanni before them, remind us that there are larger issues to be addressed.

There is much to be done in the City of Rome and much to be accomplished. I am committed to enhancing the quality of life for our citizens, particularly those with the greatest need.

What we are doing in city government and in the city as a whole is reinventing Rome, challenging the longstanding ideas about who we are and what is possible. We are demanding excellence and using discipline when entertaining new concepts.

Over the past five years, we have laid the foundation to allow the City of Rome to weather these turbulent times. We cannot, however, languish in our memories of the past because it is gone. We cannot stand still or every opportunity ahead will pass us by.

There are things in all of our lives that transcend our own personal interests – things like family, community, service and faith. The spirit of the City of Rome has never been more important than it is today. Together, we are reinventing the community of Rome. Together, we will find the common ground to achieve the serious solutions our city needs to grown and adapt to these difficult and changing times.

♦ ♦

Motion to adjourn by Casadei, seconded by Petty and so ordered April 29, 2009.

♦ ♦ ♦

**COMMON COUNCIL MEETING
REGULAR SESSION
PROCEEDINGS**

**MAY 13, 2009
7:30PM**

PRESENT: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

PLEDGE OF ALLEGIANCE

INVOCATION by President Mazzaferro

GENERAL PUBLIC HEARING

Joe Sallustio – 1212 N. James St. – Property on the corner of N. George St. & Bloomfield is in the historical district. Why would the Historical Commission allow a 6 foot privacy fence to be installed?

Andrew Savoie – 404 N. Madison St. – This past weekend there was a rash of vandalism, about 20 parked cars were hit. Please inform Mr. Sallustio that there is not Historical Commission. Criticized leadership in the City.

Sally Pratt – 1801 N. James St. – Need to regulate cats in the City

Kelly Domizio – 1742 N. George St. – Please support Ordinance No.8489 pertaining to signage “Slow Children at Play”

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Casadei, seconded by Sparace that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

Residents against the sale of 311 N. Washington St., Rome, NY 13440 – On file City Clerk’s Office

B. COMMUNICATIONS.

The following businesses have notified the City Clerk’s Office of their intention to renew liquor licenses:

Blue Moon

1414 E. Dominick St. (Received & filed)

♦ ♦ ♦

REPORT OF CITY OFFICIALS

Mazzaferro – Explained “Open Meeting Law” – General Public Portion is not a requirement but members of the council allow 5 minutes for residents to speak regarding city affairs, not to criticize

REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

Darcangelo – Thanks to City Clerk, Louise Glasso, for organizing 5th, 6th 7th Ward meeting and scheduling Lisa Matte, Director of Jervis Library, to speak.

♦ ♦ ♦
MAY 13, 2009

RESOLUTION NO. 96

AUTHORIZING CITY OF ROME COMMISSIONER OF PUBLIC WORKS TO ATTEND SEMINAR.

By Councilor Petty

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Frank D. Tallarino, Jr., Commissioner of Public Works for the City of Rome, be and is hereby authorized to attend a Seminar entitled “Sustainable Energy”, to be held at Clarkson University in Potsdam, New York on July 7-9, 2009. The registration cost for attendance at this seminar is \$125.00, with reimbursement for accommodations in the approximate amount of \$240.00, as well as for mileage.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MAY 13, 2009

♦
MAY 13, 2009

RESOLUTION NO. 97

AUTHORIZING CITY OF ROME COMMISSIONER OF PUBLIC WORKS

TO ATTEND TECHNICAL EDUCATION SERVICES SEMINAR.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Frank D. Tallarino, Jr., Commissioner of Public Works for the City of Rome, be and is hereby authorized to attend a Technical Education Services Seminar entitled “Civil 3D Fundamentals”, sponsored by Imaginit Technologies, to be held in Syracuse, New York on June 23 – 25, 2009. The registration cost for attendance at this seminar is \$1,225.00, with reimbursement for mileage, tolls and meals.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MAY 13, 2009

♦
MAY 13, 2009

RESOLUTION NO. 98

AUTHORIZING WEED & SEED COORDINATOR TO ATTEND TRAINING CONFERENCE.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Kathy Stockbridge, Weed & Seed Coordinator for the City of Rome, be and is hereby authorized to attend a Training Conference entitled "Citizen Preparedness - Annual Conference", to be held in Albany, New York on June 18-19, 2009. All expenses and necessary expenditures for attendance at this Training Conference will be covered by allocated funding under the Weed & Seed Grant and Citizen Corps.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MAY 13, 2009

♦
MAY 13, 2009

RESOLUTION NO. 99

**ACCEPTING DONATION PRESENTED
TO THE CITY OF ROME DEPARTMENT
OF PUBLIC WORKS.**

By Councilor Casadei:

WHEREAS, Brad Dietz of Syracuse, New York has contacted the City of Rome Department of Public Works with the offer of a donation of a 1927 Rome Grader to be restored and displayed at Rome City Yard, and

WHEREAS, the Rome City Charter states that the Common Council must authorize and accept donations made to the City of Rome on behalf of the City of Rome, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that a donation of a 1927 Rome Grader manufactured by Rome Manufacturing

Company shall be gratefully accepted by the City of Rome, and

BE IT FURTHER RESOLVED, that the Common Council hereby expresses its appreciation to Brad Dietz of 148 West Colthrop Road, Syracuse, New York, for the donation of a 1927 Rome Grader, manufactured by Rome Manufacturing, to be restored and put on display at the Rome City Yard.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MAY 13, 2009

♦
MAY 13, 2009

RESOLUTION NO. 100

**APPOINTING COMMISSIONER
OF DEEDS.**

By Councilor Casadei:

BE IT RESOLVED, by the Common Council of the City of Rome that the following individual be and are hereby appointed Commissioner of Deeds for the City of Rome, New York, for a term to expire December 31, 2010:

Ron Casadei
Mary Anne Casadei
Kathleen O'Rourke
Anthony A. Darcangelo
Sandra L. Palen
Mary Jo Sears
Kristen Darcangelo

and,

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Casadei,
Darcangelo, Vescio

NAYS: Smith

ADOPTED: MAY 13, 2009

♦

MAY 13, 2009

RESOLUTION NO. 101

NAMING PORTIONS OF THE JOHN F. KENNEDY CIVIC ARENA/MUNICIPAL POOL COMPLEX

By Councilor Casadei

WHEREAS, the City of Rome, New York has undertaken the renovation of the John F. Kennedy Civic Arena /Municipal Pool complex, and

WHEREAS, Fifth Ward Councilor Ron Casadei has opined that the Municipal Pool and the Future Soccer Field should be named in honor of two local individuals who lost their lives while defending their country, and

WHEREAS, Sgt. Michael A. Uvanni of Rome was killed in combat in Iraq on October 1, 2004, and just earlier this year, Marine Lance Corporal Daniel J. Geary was killed in action in Afghanistan on March 20, 2009, and

WHEREAS, the City of Rome wishes to recognize both Sgt. Uvanni and Lance Corporal Geary through the naming of various portions of the building and its appurtenances, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the following portions of the John F. Kennedy Civic Arena/Municipal Pool complex shall be named and known as follows:

Municipal Pool

Sgt. Michael A.
Uvanni Municipal
Pool

Soccer Field

Lance Corporal Daniel J.
Geary Soccer Field

and,

BE IT FURTHER RESOLVED, that the Department of Parks and Recreation is hereby directed to erect appropriate signage reflecting the naming as noted above, and

BE IT FURTHER RESOLVED, that the City Clerk is directed to forward a copy of this resolution to the families of Sgt. Uvanni and Lance Corporal Geary.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MAY 13, 2009

♦

MAY 13, 2009

RESOLUTION NO. 102

AUTHORIZING CITY OF ROME POLICE DEPARTMENT PERSONNEL TO ATTEND EVIDENCE TECHNICIAN COURSE.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Detectives Eric Sochia and Jeff Race, as well as Patrolmen Shown Platt and John Williams, be and are hereby authorized to attend a two-week school entitled "Evidence Technician Course", to be held at the Mohawk Valley Police Academy in Utica, New York on June 1 -

12, 2009. There is no registration cost for attendance at this seminar, with reimbursement for lunch for the two week period in the amount of \$200.00.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MAY 13, 2009

♦

MAY 13, 2009

RESOLUTION NO. 103

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL TO
ATTEND FIELD INTELLIGENCE
OFFICER TRAINING SCHOOL.

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Detective Jeff Race, as well as Patrolman Shown Platt and Investigator Fred Robenski, be and are hereby authorized to attend a two-day school entitled "Field Intelligence Officer Training II", to be held at the New York State Office of Homeland Security in Oriskany, New York on May 21-22, 2009. There is no registration cost for attendance at this seminar, with lunch reimbursement the only expected expense.

Seconded by Councilor Casadei.

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MAY 13, 2009

♦

MAY 13, 2009

RESOLUTION NO. 104

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL TO
ATTEND LAW ENFORCEMENT BIKE
PATROL COURSE.

By Councilor Petty

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Patrolman Frederick Carnevale, as well as one additional Patrolman, be and are hereby authorized to attend a one-week school entitled "Law Enforcement Bike Patrol Course", to be held at the Mohawk Valley Police Academy in Utica, New York on May 18 – 22, 2009. There is no registration cost for attendance at this seminar, with reimbursement for lunch for the one week period in the amount of \$50.00 to be the only anticipated expense.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MAY 13, 2009

♦

MAY 13, 2009

RESOLUTION NO. 105

AUTHORIZING THE MAYOR OF THE
CITY OF ROME TO ENTER INTO AN
AGREEMENT WITH THE NEW YORK
STATE DEPARTMENT OF
TRANSPORTATION FOR THE
ECONOMIC RECOVERY PROJECT,
FOR PAVEMENT REHABILITATION OF
VARIOUS CITY STREETS.

By Councilor Petty:

WHEREAS, the ERP Pavement Rehabilitation of City Streets, Various Locations, PIN 2ST201 Economic Recovery Project (hereinafter the "Project") in the City of Rome, Oneida County, (hereinafter "the Municipality") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal funds, now, therefore,

BT IT RESOLVED, that the Common Council of the City of Rome hereby approves the above project, and

BE IT FURTHER RESOLVED, that the City of Rome agrees to advance the Project through NYSDOT resources, including design and construction inspection services, and agrees that the Common Council hereby authorizes the State of New York to pay in the first instance the full costs of any and all phase(s) or portions thereof, and the City of Rome authorizes NYSDOT to perform this work on City of Rome streets, and

BE IT FURTHER RESOLVED, that upon completion of construction of the Project, or a fully usable portion thereof, the City of Rome agrees to maintain the Project, or fully usable portion thereof, at their sole cost and expense, and

BE IT FURTHER RESOLVED, that the Mayor of the City of Rome is hereby authorized to execute all necessary Agreements or certifications on behalf of the City of Rome with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local Agreement, and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be filed with the Commissioner of the New York State Department of Transportation by attaching it to any necessary Agreement in connection with the Project, and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MAY 13, 2009

♦
May 13, 2009

RESOLUTION NO. 106 PULLED

♦
MAY 13, 2009

RESOLUTION NO. 107

ACCEPTING A DONATION
PRESENTED TO THE CITY OF ROME'S
DEPARTMENT OF PARKS,
RECREATION AND COMMUNITY
ACTIVITIES FOR A
MEMORIAL PARK BENCH.

By Councilor Smith:

WHEREAS, the Department of Parks, Recreation and Community Activities for the City of Rome has established a program which offers the opportunity to purchase a memorial bench to be placed in honor or memory of an individual or group through said Department, with a small personalized plaque or nameplate to be placed on said bench, and

WHEREAS, the Rome City Charter states that the Common Council must authorize and accept donations made to the City of Rome, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that a donation was received from the co-

workers of Mrs. Ciccotti, the mother of Robert T. Ciccotti, Jr., who was killed in a tragic motorcycle accident earlier this year, from Nancy Kristl, Director of Support Services for the Rome City School District, for the naming of a bench in honor of Robert T. Ciccotti, Jr., and

BE IT FURTHER RESOLVED, that the Common Council hereby expresses its appreciation to the Rome City School District for the donation of \$250.00 to the City of Rome, New York for a Memorial Park Bench to be placed in honor of Robert T. Ciccotti, Jr.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MAY 13, 2009

♦
MAY 13, 2009

RESOLUTION NO. 108

AUTHORIZING WEED & SEED
COORDINATOR AND STEERING
COMMITTEE CHAIR TO ATTEND 2009
COMMUNITY CAPACITY
DEVELOPMENT OFFICE
NATIONAL CONFERENCE.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Kathy Stockbridge, Weed & Seed Coordinator for the City of Rome, as well as James Masucci, Steering Committee Chair for Weed & Seed for the City of Rome, be and are hereby authorized to attend the 2009 Community Capacity Development Office National Conference entitled "Empowering People, Empowering Neighborhoods", to be held in Tampa, Florida on July 13-16, 2009. All

expenses and necessary expenditures for attendance at this National Conference will be covered by allocated funding through Weed & Seed, with no cost to the City of Rome.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MAY 13, 2009

♦
MAY 13, 2009

ORDINANCE NO. 8485 TABLED

AUTHORIZING THE CLOSING OF
STREETS ON JULY 4, 2009 TO
ACCOMMODATE A CONCERT AND
FIREWORKS DISPLAY
TO TAKE PLACE AT THE FORT
STANWIX NATIONAL MONUMENT.

♦
MAY 13, 2009

ORDINANCE NO. 8486

AUTHORIZING THE SUSPENSION OF
PARKING FEES APPLICABLE AT THE
FORT STANWIX PARKING GARAGE
ON SATURDAYS AND SUNDAYS
BEGINNING JUNE 1, 2009 THROUGH
AUGUST 31, 2009.

By Councilor Petty:

WHEREAS, the Common Council of the City of Rome, New York, previously adopted parking rules and regulations pertaining to municipal parking areas, including fees for use of the municipal parking garages, within the jurisdiction of the City of Rome, and

WHEREAS, it has been recommended that the parking fees applicable to use of the Fort Stanwix (formerly known as the Liberty/James Street) Parking Garage be temporarily suspended on Saturdays and Sundays beginning June 1, 2009 through August 31, 2009, during the hours of 9:00 a.m. to 6:00 p.m., to permit the free use of said garage by the general public and visitors to the Fort Stanwix National Monument, to enhance the free downtown parking already available, now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome, New York that the best interests of the citizens of the City of Rome are furthered by waiving the parking fees applicable for use of the Fort Stanwix Parking Garage to permit the free use of said garage on Saturdays and Sundays beginning June 1, 2009 through August 31, 2009, during the hours of 9:00 a.m. to 6:00 p.m. to permit the free use of said garage by the general public and visitors to the Fort Stanwix National Monument, as an enhancement to the free downtown parking already available, and

BE IT FURTHER ORDAINED, that after 6:00 p.m. on August 31, 2009, the suspension of fees authorized hereby shall expire and, on said date and time, all applicable parking fees shall be in full force and effect at the Fort Stanwix Parking Garage, and

BE IT FURTHER ORDAINED, that a copy of this Ordinance shall be forwarded by the Rome City Clerk to Frank D. Tallarino, Jr., Commissioner of Public Works.

Seconded by Councilor Casadei
By Councilor Vescio

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8486

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8486

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MAY 13, 2009

♦

MAY 13, 2009

ORDINANCE NO. 8487

AUTHORIZING THE SALE OF CITY OWNED PROPERTY LOCATED AT 161 PARK AVENUE TO THE PREVIOUS OWNER.

By Councilor Sparace:

WHEREAS, the City of Rome has acquired for back taxes real property as noted hereinbelow in the City of Rome, New York:

TAX MAP NO: 224.018-1-40
PROPERTY ADDRESS: 161 Park Avenue

and,

WHEREAS, Doris Darling, the former owner, has requested that the City of Rome sell the property at private sale pursuant to Section 33(2)(a) of the Charter Laws of the City of Rome, New York, now, therefore,

BE IT ORDAINED, that the Common Council of the City of Rome hereby authorizes the sale of City property

acquired by redemption for back taxes located as listed hereinbelow, at a cost of \$6,284.37, said amount being the taxes owed to and the fees incurred by the City of Rome relative to such property:

TAX MAP NO: 224.018-1-40

PROPERTY ADDRESS: 161 Park Avenue

CONSIDERATION: \$6,284.37

and,

BE IT FURTHER ORDAINED, that the above authorization for said property is made on the express conditions set forth at Rome Charter Laws Section 33(2)(a), including but not limited to the following: that the former owner be required to pay in full any and all delinquent taxes and fees on any property in the City of Rome of which she is a titleholder prior to reacquiring the above mentioned property, in no event later than ninety (90) days from final legislative approval, including any related filing fees or expenses, and further, the former owner is required to bring the property into full code compliance, and to perform rehabilitation work, as follows: 1) new roof covering; 2) service furnace and provide service record; 3) combination smoke/carbon monoxide detector in location appropriate for single-family dwelling; and 4) gas shut-off valve installed at the kitchen appliance, said rehabilitation work to be accomplished within a reasonable period of time as determined by the Code Enforcement Officer, and

BE IT FURTHER ORDAINED, that the Mayor of the City of Rome is hereby authorized to execute a Quit Claim Deed to Doris Darling for said property upon payment in full of the sum of \$6,284.37.

Seconded by Councilor Petty
By Councilor Smith

RESOLVED, that the unanimous consent of this Common Council be, and the

same hereby is given to the consideration of Ordinance No. 8487

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ORDINANCE NO. 8487

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MAY 13, 2009

♦

MAY 13, 2009

ORDINANCE NO. 8488

AUTHORIZING THE PLACEMENT OF DISTANCE MARKER SIGNS AT THE INTERSECTION OF WEST LIBERTY STREET AND MCRAE STREET.

By Councilor Smith:

WHEREAS, Fourth Ward Councilor Ramona L. Smith has requested that distance marker signs be placed at the intersection of West Liberty Street and McRae Street, and

WHEREAS, James Masucci, Public Safety Commissioner for the City of Rome, based on a field investigation of the area encompassing West Liberty Street and McRae Street, recommends the installation of distance marker signs at the aforesaid intersection due to the limited sight distance, now, therefore,

BE IT ORDAINED, that distance marker signs at the intersection of West Liberty Street and McRae Street shall be installed pursuant to Public Safety Commissioner James Masucci's

memorandum attached hereto and by this reference made a part hereof, and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon the posting of the proper signage reflecting said distance marker signs.

Seconded by Councilor Petty
By Councilor Casadei

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No.8488

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8488
AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MAY 13, 2009

♦

MAY 13, 2009

ORDINANCE NO. 8489

AUTHORIZING THE PLACEMENT OF
“SLOW, CHILDREN AT PLAY”
SIGNS ON OLIVE STREET AS WELL AS
ON THE 1700 BLOCK OF
NORTH GEORGE STREET,
ROME, NEW YORK.

By Councilor Darcangelo:

WHEREAS, there are numerous children residing in the vicinity of Olive Street and the 1700 block of North George Street, and

WHEREAS, the placement of “Slow, Children at Play” signs warning motorists of

the possibility of children playing near the roadway would both facilitate the safe flow of traffic and preserve the safety of the children residing in the area, now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome, New York, that a sign bearing the words “Slow, Children at Play” or other similar wording as is standard for such signs warning motorists of playing children shall be placed on the corner of Olive Street and North George Street, and another such sign shall be located on the corner entering the 1700 block of North George Street from the north, and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect as soon as the appropriate signs are erected.

Seconded by Councilor Casadei
By Councilor Vescio

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8489

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO.8489
AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MAY 13, 2009

♦

APRIL 22, 2009

RESOLUTION NO. 93A

ACCEPTING DONATION OF FRAMED
PORTRAITS PRESENTED TO THE
CITY OF ROME.

By Councilor Petty

WHEREAS, Second Ward Councilor Thomas Varano has presented the City of Rome with framed 11 x 14 portraits of the current members of the Common Council of the City of Rome, as well as of the Common Council President and Rome City Clerk, and

WHEREAS, Councilor Varano has also indicated his willingness to replace the wall portraits when there is a need for updating due to changes on the Council, and

WHEREAS, the Rome City Charter states that the Common Council must authorize and accept donations made to the City of Rome on behalf of the City of Rome, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the donation of nine (9) framed 11 x 14 portraits of the current members of the Rome Common Council, the Common Council President and the Rome City Clerk and a 11 x 14 history collage of current members are hereby gratefully accepted by the City of Rome, and

BE IT FURTHER RESOLVED, that the Common Council hereby also gratefully accepts further portraits to be supplied by Thomas Varano on an as-needed basis for a time period of 3 years, and

BE IT FURTHER RESOLVED, that the Common Council hereby expresses its appreciation to Thomas Varano for the gracious donation of his time and talent in providing nine (9) framed 11 x 14 portraits as aforesaid, as well as any future donations made to the City of Rome as portraits are updated due to changes on the Common Council and Rome City Clerk's Office.

Seconded by Councilor Smith

Motion to TABLE by Casadei, seconded by Vescio and so ordered April 22, 2009

Motion to Remove from TABLE by Varano, seconded by Petty and so ordered May 13, 2009

Motion to Amend the 1st & 2nd BE IT RESOLVED paragraphs by Varano, seconded by Sparace and so ordered May 13, 2009

♦

Motion to adjourn by Casadei, seconded by Sparace and so ordered May 13, 2009.

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♦

PROCEEDINGS

PUBLIC HEARING

BE IT ORDAINED, by the Common Council that, pursuant to General Municipal Law Section §72-h, a public hearing regarding the conveyance of said Property be held on May 27, 2009 at 7:25 p.m., in the Common Council Chambers, and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome, New York that, upon due consideration, pursuant to New York State General Municipal Law §72-h, the Mayor of the City of Rome, New York may and is hereby authorized to execute any and all documents necessary to transfer real property, consisting of a portion of lands currently occupied by the chlorination building for the Town of Floyd, hereinafter as "Property", and which Property is more specifically described by the legal description and map on file in the City Clerk's Office, to the Town of Floyd for the sum of One Dollar (\$1.00).

Louise S. Glasso, CMC
City Clerk

Rome Sentinel Co.
To Appear: May 18, 2009
Dated: May 14, 2009
One (1) time
Speakers:

Andrew Savoie – 404 N. Madison St. – Would it be more profitable for the city to lease property

♦ ♦ ♦
**COMMON COUNCIL MEETING
REGULAR SESSION
PROCEEDINGS**

**MAY 27, 2009
7:30PM**

PRESENT: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

PLEDGE OF ALLEGIANCE

INVOCATION by President Mazzaferro

GENERAL PUBLIC HEARING

Joe Sallustio – 1212 N James St. – Mayor Brown compliments the codes department in every speech but not all residents are made to comply with code requirements.

Andrew Savioe – 404 N. Madison St. – Commends City Clerk for professionalism with FOIL requests.

Pertaining to Ord. No. 8482, would it be in the best interest of the city to lease the property as opposed to selling it.

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Petty, seconded by Sparace that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

The following businesses have notified the City Clerk's Office of their intention to renew liquor licenses:

Country Kitchen Restaurant
(Received & filed)

6786 Martin St.

Andrew A. Moraco & Deanna B. Siegfried notified the City Clerk's Office of their purchase of the former Plaza Restaurant, 229 E. Dominick St., Rome and of their application for a liquor license
(Received & filed)

NOTICES

Members of the council to meet with Richard Miller and Ed Abounader regarding Building 440 at Griffiss, the former base gym on May 27, 2009 @ 6:45pm

REPORT OF CITY OFFICIALS

Tallarino – Concerning Mr. Savoie's remarks regarding Ord. No. 8482 ,Town of Floyd maintains the building & property only for their water supply. The property is a potential liability for the city.

REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

Varano – City administration appreciates the concerns of the residents. When a councilor is contacted regarding code issues in their ward, they contact codes & appropriated department heads to review the concern. Mark Domenico takes his hits but he does work hard for the city.

Darcangelo – Municipal Operation Committee met regarding Ord. No. 8482 and given facts it is in the best interest of the city to minimize the liability.

♦ ♦ ♦
MAY 27, 2009

ABSTAINED: Sparace
ADOPTED: MAY 27, 2009

RESOLUTION NO. 109

APPOINTING COMMISSIONER OF DEEDS.

♦
MAY 27, 2009

By Councilor Vescio:

BE IT RESOLVED, by the Common Council of the City of Rome that the following individual be and are hereby appointed Commissioner of Deeds for the City of Rome, New York, for a term to expire December 31, 2010:

Nicole Pitt
Courtney Hanna
Linda Sparace
John A. Sparace

and,

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Seconded by Councilor Casadei

AYES: Varano, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None

RESOLUTION NO. 110

ACCEPTING DONATIONS PRESENTED TO THE CITY OF ROME'S DEPARTMENT OF PARKS, RECREATION AND COMMUNITY ACTIVITIES RELATIVE TO THE ROME FARMERS' MARKET.

By Councilor Petty:

WHEREAS, the Rome Farmers' Market has been an integral part of the Department of Parks, Recreation and Community Activities for the City of Rome for the past few years, and offers a marketplace for local farmers to sell their produce directly to the public, and

WHEREAS, the City of Rome, through the Department of Parks, Recreation and Community Activities, has recently been the recipient of donations to be used to enhance and support the Farmers' Market, and

WHEREAS, the Rome City Charter states that the Common Council must authorize and accept donations made to the City of Rome on behalf of the City of Rome, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the monetary donations received from Roger V. Bartholomew and from The Rome Savings Bank shall be gratefully accepted by the City of Rome, as well as any further donations received by the City during fiscal year 2009, and

BE IT FURTHER RESOLVED, that the Common Council hereby expresses its appreciation to Roger V. Bartholomew and to Rome Savings Bank for their generous donations which will be used to enhance and support the Rome Farmers' Market.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MAY 27, 2009

♦

MAY 27, 2009

RESOLUTION NO. 111

AUTHORIZING THE MAYOR OF THE
CITY OF ROME TO ENTER INTO AN
AGREEMENT WITH THE NEW YORK
STATE DEPARTMENT OF
TRANSPORTATION RELATIVE TO
SIDEWALK CONSTRUCTION WITHIN
THE RESURFACING PROJECT FOR
ROUTES 26/46 BETWEEN
EAST DOMINICK STREET AND
CHESTNUT STREET.

By Councilor Sparace:

WHEREAS, the New York State Department of Transportation proposes the

resurfacing of Routes 26/46 between East Dominick Street and Chestnut Street in the City of Rome, Oneida County, and in connection therewith to construct a new sidewalk with the project limits, and

WHEREAS, the State will include as part of the reconstruction of the above mentioned project the construction of sidewalk pursuant to Section 10, Subdivision 22 of the Highway Law, and will provide for the reconstruction of existing sidewalks, pursuant to Section 10, Subdivision 24 of the Highway Law, as shown on the contract plans relating to the project, and

WHEREAS, the State will provide for the reconstruction of the above mentioned work as shown on the contract plans relating to the project, now, therefore,

BE IT RESOLVED, that the City of Rome approves the construction of sidewalks and the above mentioned work performed on the project and shown on the contract plans relating to the project, and that the City of Rome will maintain or cause to be maintained the sidewalk constructed as stated above and as shown on the contract plans, including the control of snow and ice, and

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to transmit five (5) certified copies of this Resolution to the New York State Department of Transportation.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MAY 27, 2009

♦

MAY 27, 2009

RESOLUTION NO.112

**AUTHORIZING CITY OF ROME PUBLIC
WORKS EMPLOYEES
TO ATTEND COURSE OF STUDY.**

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Butch Conover, Superintendent of Public Works for the City of Rome, as well as Tony Nash, Assistant Superintendent of Public Works, William Tallarino, Labor Foreman, and Ben Watts, Working Foreman, be and are hereby authorized to attend a course of study entitled "Improving Snow and Ice Operations Through Intermunicipal Cooperation", to be held at SUNYIT in Marcy, New York on May 26, 2009. The registration cost for attendance at this course is \$15.00 per person.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MAY 27, 2009

♦

MAY 27, 2009

RESOLUTION NO. 113

**AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL TO
ATTEND FAMILY COURT SYSTEM
SEMINAR.**

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Sergeants Steve

Armstrong, Dominic Corigliano, Senior Investigator Jonathan Carr, Patrolman Stewart Rood and David Collins, be and are hereby authorized to attend a half-day seminar entitled "Juvenile Issues and How to Properly Deal with the Family Court System", sponsored by the Mohawk Valley Police Academy, and to be held at the Child Advocacy Center in Utica, New York on May 26, 2009. There is no cost to the City of Rome for attendance at this seminar.

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MAY 27, 2009

♦

MAY 27, 2009

RESOLUTION NO. 114

**AUTHORIZING CITY OF ROME POLICE
DEPARTMENT SENIOR
INVESTIGATOR TO ATTEND
CONFERENCE.**

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Senior Investigator Jonathan Carr be and is hereby authorized to attend a five-day Conference entitled "Responding to Missing and Abducted Children", sponsored by The Fox Valley Technical College, to be held in Rochester, New York on July 27-31, 2009. There is no cost to the City of Rome for attendance at this seminar with the exception of meal reimbursement in the amount of \$165.00.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MAY 27, 2009

♦

MAY 27, 2009

RESOLUTION NO. 115

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND FAMILY COURT
SEMINAR.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Captain Scott Wittmann, as well as Patrolmen Justin Cresswell and Thomas Smith, be and are hereby authorized to attend a half-day seminar entitled "Juvenile Issues and How to Properly Deal with the Family Court System", sponsored by the Mohawk Valley Police Academy, and to be held at the Child Advocacy Center in Utica, New York on June 3, 2009. There is no cost to the City of Rome for attendance at this seminar.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MAY 27, 2009

♦

MAY 27, 2009

RESOLUTION NO. 116

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND CONFERENCE.

By Councilor Vescio

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Sergeant Steve Armstrong, be and is hereby authorized to attend a one-day conference entitled "Civil Rights Conference", sponsored by the FBI, and to be held at Cazenovia College, Cazenovia, New York on June 11, 2009. There is no cost to the City of Rome for attendance at this seminar with the exception of meal reimbursement.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MAY 27, 2009

♦

MAY 27, 2009

RESOLUTION NO. 117

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT CAPTAIN
TO ATTEND COURSES OF STUDY.

By Councilor Casadei

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Captain David Iacovissi, be and is hereby authorized to attend a one-day course entitled "Glock Armorer's Course", to be held at the Central New York Police Academy in Syracuse, New York on June 9, 2009, and

BE IT FURTHER RESOLVED, that Captain David Iacovissi be and is hereby authorized to attend a three-day school entitled "Glock Instructor's Workshop", to be held at the Central New York Police Academy in Syracuse, New York on June 10-12, 2009. There is no cost to the City of

Rome for attendance at the aforementioned courses of study.

MAY 27, 2009

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MAY 27, 2009

RESOLUTION NO. 119

A RESOLUTION GRANTING
PERMISSION FOR THE
CONSTRUCTION OF A FENCE AND
PAVILION AT THE ROME ART AND
COMMUNITY CENTER.

By Councilor Petty:

WHEREAS, the Rome Art and Community Center, is the lessee of city owned property located at 308 West Bloomfield Street, in the City of Rome, and

WHEREAS, the Rome Art and Community Center provides a variety of services to the citizens of the City of Rome, and

WHEREAS, the Rome Art and Community Center requests permission to construct a pavilion on the premises located at 308 West Bloomfield Street, and

WHEREAS, the aforesaid Tudor style pavilion will be a performance pavilion having dimensions of 20' x 20', and be located approximately 80 feet away from the North George Street sidewalk and 47' feet from the neighboring property, and

WHEREAS, the Rome Art and Community Center also requests permission to erect a 4' high 750' custom iron fence with two pedestrian gates around the entire perimeter of the property at 308 West Bloomfield Street, and

WHEREAS, the aforesaid pavilion and fence will improve the property and benefit the citizens of the City of Rome, and

WHEREAS, the Rome Art and Community Center intends to donate said improvements to the City of Rome upon the completion of the installation and construction, and

♦
MAY 27, 2009

RESOLUTION NO. 118

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND SEMINAR.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Captain Scott Wittmann and Patrolman Donald D'Auito, be and are hereby authorized to attend a one-day seminar entitled "Critical Curve Speed", to be held at New York State Homeland Security Training Center in Oriskany, New York on June 11, 2009. The cost to the City of Rome for attendance at this seminar will be \$75.00 per person for registration.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: MAY 27, 2009

♦

WHEREAS, the plans for the construction of the fence and pavilion have been approved by the Planning Board, and

WHEREAS, it is the recommendation of Common Council President John Mazzaferro that such permission be granted to the Rome Art and Community Center, now, therefore,

BE IT RESOLVED, by the City of Rome Common Council, that the Rome Art and Community Center is hereby granted permission to construct a 20' x 20' Tudor style pavilion and a 4' high 750' long perimeter fence on the city owned premises located at 308 West Bloomfield Street, and

BE IT FURTHER RESOLVED, that the final plans for the construction of the aforesaid fence and pavilion shall be submitted to the Commissioner of Public Works, and the Code Enforcement Officer for approval prior to the commencement of construction.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,

Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MAY 27, 2009

♦

MAY 27, 2009

RESOLUTION NO. 120A

**AUTHORIZING THE CITY CLERK TO
ADVERTISE NOTICE
OF A PUBLIC HEARING REGARDING
AN AMENDMENT
TO THE OFFICIAL ZONING MAP OF
THE CITY OF ROME, NEW YORK.**

By Councilor Vescio:

WHEREAS, pursuant to the City of Rome Code of Ordinances ("Rome Code"),

§80-24.1(a), by Ordinance No. 8491, the Common Council is considering an amendment to the Official Zoning Map of the City of Rome ("Zoning Map"), which will change the zoning designation of certain property located at 1002 Black River Boulevard, from Single Family Residential ("R-1") to Mixed Commercial Residential ("C-2"), hereinafter said proposed amendment is referred to as "Proposed Zoning Amendment", and

WHEREAS, pursuant to the Rome Code, §80-24.4(a), prior to any amendment to the Zoning Map being approved, a public hearing must be held at the next regularly scheduled meeting of the Common Council after the introduction of the proposed amendment, which will permit all interested members of the public to comment on same, and

WHEREAS, pursuant to the Rome Code, notice of the public hearing must be published in the official newspaper of the City of Rome, at least seven days prior to the date the public hearing is to be held, and said public notice shall include the date, time and place of said public hearing, as well as a description of the substance of the proposed amendment, now, therefore,

BE IT RESOLVED, that the Common Council of the City of Rome, New York does hereby authorize the City Clerk to advertise notice of a public hearing pertaining to the amendment to the Official Zoning Map of the City of Rome, New York, as proposed by Ordinance No. 8491, which said amendment which will change the zoning designation of certain property located at 1002 Black River Boulevard, from Single Family Residential ("R-1") to Mixed Commercial Residential ("C-2"), and

BE IT FURTHER RESOLVED, that the public notice published by the City Clerk be published in the official newspaper of the City of Rome to permit all interested persons to be heard, and that said notice set

forth that the hearing will take place before the next regularly scheduled meeting of the Common Council to be held on the 10th day of June 2009, at 7:20pm, in the City of Rome Common Council Chambers, 2nd floor, City Hall, Rome, New York, as well as a description of the amendment to be discussed, at which time and place all interested persons will be heard thereon.

Seconded by Councilor Casadei

Motion to Amend 1st, & 4th paragraph to insert Ordinance No. 8491 and last paragraph to insert date of public hearing by Casadei, seconded by Vescio and so ordered May 27, 2009

AYES: Sparace, Varano, Petty, Smith,

Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MAY 27, 2009

♦

MAY 27, 2009

RESOLUTION NO. 121

**AUTHORIZING THE COMMON
COUNCIL TO ACT AS
“LEAD AGENCY” FOR STATE
ENVIRONMENTAL QUALITY
REVIEW ACT FOR AN AMENDMENT
TO ZONING
CODE OF THE CITY OF ROME
RELATING TO
SITE PLAN REVIEW**

By Councilor Casadei:

WHEREAS, New York State has enacted the State Environmental Quality Review Act (“SEQRA”), to ensure municipal decision makers identify and consider potential environmental impacts before undertaking or approving an action, and

WHEREAS, under the New York Code of Rules and Regulations, the City of Rome Common Council, because it has authority to undertake, fund and approve the City action necessary for the amendment of the Zoning Code, has standing to serve as “lead agency” to determine if said action will have any impacts on the environment, and

WHEREAS, it is the opinion of the Corporation Counsel’s Office that the zoning amendment is an action for which a coordinated review may be conducted, and

WHEREAS, it is the responsibility of the Common Council, as lead agency, to confirm its status as lead agency with other interested agencies, if any, to ensure that an Environmental Assessment Form is filled out, so as to make a determination of significance as to whether or not the action will have an adverse impact on the environment and whether or not an Environmental Impact Statement is required, now, therefore,

BE IT RESOLVED, by the City of Rome Common Council that the City of Rome Common Council is hereby designated as “lead agency” for work undertaken, funded and/or approved by the City of Rome to amend the Zoning Code of the City of Rome for purposes of a coordinated review of said action with all interested agencies, if any, and to make a determination of the action’s environmental significance, and

BE IT FURTHER RESOLVED, by the City of Rome Common Council that the Department of Community and Economic Development is hereby delegated the duty of informing other involved agencies of the Common Council’s designation as “lead agency” and to ensure that all “interested” agencies are in agreement with the Common Council being named “lead agency”, and

BE IT FURTHER RESOLVED, by the City of Rome Common Council that the President of the Common Council, or his designee, may execute any and all documents, solicit appropriate input from interested agencies and/or the public and to schedule all hearings necessary, if any, in order for the City of Rome Common Council to fulfill its duties and obligations as lead agency with respect to amendment of the Rome Zoning Code, which said duties and obligations may include, but not be limited to: the signing and filing of a negative declaration, if it be deemed one is appropriate, or the filing of an Environmental Impact Statement.
Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,

Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MAY 27, 2009

♦

MAY 27, 2009

ORDINANCE NO. 8490

**AUTHORIZING THE CLOSING OF
STREETS ON JUNE 30, 2009 IN
CONJUNCTION WITH THE "DRUMS
ALONG THE MOHAWK"
PERFORMANCE.**

By Councilor Casadei

WHEREAS, the Drums Along the Mohawk organization has requested the closing of streets in conjunction with the Drums & Bugle Corps performance scheduled for Tuesday, June 30, 2009 at Rome Free Academy Stadium, and

WHEREAS, it has been requested that the following streets be closed during the hours of 11:00 a.m. to 12:00 midnight on June 30, 2009: West Sycamore Street from Turin Street to North Madison Street; Craig Street from West Sycamore Street to Oak

Street; Carroll Street from West Sycamore Street to Oak Street; Bedford Street from West Sycamore Street to Oak Street; West Pine Street from Albert Street to North Madison Street; and Albert Street from West Pine Street to Linden Street, and

WHEREAS, it is in the best interests of the City of Rome to promote and support this community activity, now, therefore,

BE IT ORDAINED, that the Common Council of the City of Rome, New York does hereby authorize the closing of the following streets, namely, West Sycamore Street from Turin Street to North Madison Street; Craig Street from West Sycamore Street to Oak Street; Carroll Street from West Sycamore Street to Oak Street; Bedford Street from West Sycamore Street to Oak Street; West Pine Street from Albert Street to North Madison Street; and Albert Street from West Pine Street to Linden Street, on Tuesday, June 30, 2009, during the hours of 11:00 a.m. to 12:00 midnight, for the "Drums Along the Mohawk" Drum & Bugle Corps presentation to be held at Rome Free Academy Stadium, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the above organization providing the City of Rome with a certificate of insurance in the amount of \$2,000,000 per occurrence for personal injury or death, and \$2,000,000 for property damage, or blanket coverage in the amount of \$4,000,000, naming the City of Rome as an additional insured, and indemnifying and holding the City of Rome harmless from any and all liability arising out of the closing of the streets as outlined hereinabove, and

BE IT FURTHER ORDAINED, that this authorization shall take effect upon the placement of the appropriate barriers at the end of the affected areas.

Seconded by Councilor Darcangelo

By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8490

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ORDINANCE NO. 8490

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MAY 27, 2009

♦

MAY 27, 2009

ORDINANCE NO.8491 TABLED

AUTHORIZING AN AMENDMENT TO
THE OFFICIAL ZONING MAP OF THE
CITY OF ROME TO CHANGE
THE ZONING DESIGNATION OF
CERTAIN PROPERTY
FROM SINGLE FAMILY RESIDENTIAL
TO MIXED COMMERCIAL
RESIDENTIAL.

♦

APRIL 22, 2009

ORDINANCE NO. 8482A

AUTHORIZING THE CONVEYANCE OF
CITY PROPERTY TO THE
TOWN OF FLOYD.

By Councilor Sparace:

WHEREAS, the City of Rome, New York owns real property currently occupied by the chlorination building for the Town of Floyd water system, which said portion is

hereinafter referred to as "Property" and is more specifically described by the legal description and map attached hereto and made a part hereof as Exhibit A, and

WHEREAS, pursuant to New York State General Municipal Law, §72-h the City of Rome has the authority to sell, transfer or lease to, or exchange with any municipal corporation any real property owned by such city, and

WHEREAS, the transfer of such real property to the Town of Floyd promotes the general welfare of the City of Rome and serves a municipal purpose, and

WHEREAS, Frank D. Tallarino, Jr., Commissioner of Public Works for the City of Rome, New York, is of the opinion that the City's general welfare and a municipal purpose are furthered by transferring the aforesaid real property to the Town of Floyd and recommends that the Property be conveyed to the Town of Floyd for One Dollar (\$1.00), now, therefore,

BE IT ORDAINED, by the Common Council that, pursuant to General Municipal Law Section §72-h, a public hearing regarding the conveyance of said Property be held on May 27, 2009 at 7:25 p.m., in the Common Council Chambers, and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome, New York that, upon due consideration, pursuant to New York State General Municipal Law §72-h, the Mayor of the City of Rome, New York may and is hereby authorized to execute any and all documents necessary to transfer real property, consisting of a portion of lands currently occupied by the chlorination building for the Town of Floyd, hereinafter as "Property", and which Property is more specifically described by the legal description and map attached hereto and made a part hereof at Exhibit A, to the Town of Floyd for the sum of One Dollar (\$1.00).

Seconded by Councilor Vescio
By Councilor Petty

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8482

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

Motion to Amend to insert date by Casadei,
seconded by Sparace and so ordered April
22, 2009

Motion to TABLE by Petty, seconded by
Smith and so ordered April 22, 2009

Motion to Remove from TABLE by
Casadei, seconded by Smith and so ordered
May 13, 2009

Motion to Amend date by Casadei, seconded
by Sparace and so ordered May 13, 2009

Motion to RETABLE by Casadei, seconded
by Vescio and so ordered May 13, 2009

Motion to Remove from TABLE by
Sparace, seconded by Vescio and so ordered
May 27, 2009

ORDINANCE NO. 8482

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: MAY 27, 2009

Motion to adjourn by Casadei, seconded by Sparace and so ordered May 27, 2009.

PROCEEDINGS

PUBLIC HEARING

BE IT RESOLVED, that the Common Council of the City of Rome, New York does hereby authorize the City Clerk to advertise notice of a public hearing pertaining to the amendment to the Official Zoning Map of the City of Rome, New York, as proposed by Ordinance No. 8491, which said amendment which will change the zoning designation of certain property located at 1002 Black River Boulevard, from Single Family Residential ("R-1") to Mixed Commercial Residential ("C-2"), and

BE IT FURTHER RESOLVED, that the public notice published by the City Clerk be published in the official newspaper of the City of Rome to permit all interested persons to be heard, and that said notice set forth that the hearing will take place before the next regularly scheduled meeting of the Common Council to be held on the 10th day of June 2009, at 7:20pm, in the City of Rome Common Council Chambers, 2nd floor, City Hall, Rome, New York, as well as a description of the amendment to be discussed, at which time and place all interested persons will be heard thereon.

Louise S. Glasso, CMC
City Clerk

Rome Sentinel Co.

To Appear: June 2, 2009

Dated: May 29, 2009

One (1) time

Speakers:

Joe Sallustio – 1212 N. James St. – Opposes legislation

**COMMON COUNCIL MEETING
REGULAR SESSION
PROCEEDINGS**

**JUNE 10, 2009
7:30PM**

PRESENT: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

PLEDGE OF ALLEGIANCE

INVOCATION by President Mazzaferro

GENERAL PUBLIC HEARING

Joe Sallustio – 1212 N. James St. – Expressed concerns at a zoning board meeting with regards to property located on the corner of N. George St. & Bloomfield St. An individual at the meeting verbally attacked me and no one called the individual out of order.

Andrew Savoie – 404 N. Madison St. – Commends City Clerk for sponsoring legislation to host a Rabies Clinic. Madison Street is becoming a speed way, requesting a traffic study

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Petty, seconded by Vescio that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

REPORT OF CITY OFFICIALS

Glasso – Request support for Resolution No. 122 – Ordinance No. 8485 will be replaced with new legislation at the next meeting.

REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

Darcangelo – Annual Garage Sale was a success – commends the volunteers

♦ ♦ ♦
JUNE 10, 2009

RESOLUTION NO. 122

AUTHORIZING THE USE OF A
DESIGNATED PORTION OF
ROME CITY HALL
IN CONJUNCTION WITH A RABIES
CLINIC TO BE HELD ON JUNE 25, 2009.

WHEREAS, a Rabies Clinic has been scheduled for June 25, 2009 through the Oneida County Department of Health, and the Rome City Clerk's Office has requested that a designated area of Rome City Hall be used for said Clinic during the hours of 6:00 p.m. through 8:00 p.m., now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that a designated area of Rome City Hall,

By Councilor Petty:

namely, the first floor lobby area, be and is hereby approved for use by the Oneida County Department of Health for a Rabies clinic to be held on June 25, 2009 between the hours of 6:00 p.m. and 8:00 p.m.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JUNE 10, 2009

♦

JUNE 10, 2009

RESOLUTION NO. 123

**AUTHORIZING THE CITY TREASURER
TO PAY TAXES, WATER
RENTS, SEWER AND ANY OTHER
SPECIAL ASSESSMENTS
ON PROPERTY ACQUIRED AT THE
TAX REDEMPTION SALE.**

By Councilor Smith:

BE IT RESOLVED, that the City Treasurer is hereby authorized and directed to pay outstanding taxes and assessments of \$220,248.94, plus penalties where applicable, said sums as per the attached listing on property acquired by the City of Rome by virtue of the Tax Redemption Sale, and charge the same to Appropriation Code AG 330.1 expense on tax acquired property.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JUNE 10, 2009

♦

JUNE 10, 2009

RESOLUTION NO. 124

**AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PATROLMEN
TO ATTEND CONFERENCE.**

By Councilor Varano:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Patrolmen Jason Worth and Jason Paul, be and are hereby authorized to attend a three-day conference entitled "Commercial Vehicle Enforcement Awareness", sponsored by the New York State Division of Criminal Justice Services, to be held at New York State Homeland Security Training Center, Oriskany, New York on June 30 – July 2, 2009. The cost to the City of Rome for attendance at this Conference will consist of lunch reimbursement only.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JUNE 10, 2009

♦

JUNE 10, 2009

RESOLUTION NO. 125

**AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND CONFERENCE.**

By Councilor Vescio:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Sergeant Joel Guy and Police Officer Donald D'Auito, be and are

hereby authorized to attend a two-day conference entitled “DNA Trends and Issues”, sponsored by the New York-New Jersey Regional Center for Public Safety Innovations, to be held in Albany, New York on June 23 – June 24, 2009. The cost to the City of Rome for attendance at this Conference will consist of meal reimbursement only.

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JUNE 10, 2009

♦

JUNE 10, 2009

RESOLUTION NO. 126

AUTHORIZING ROME CITY CLERK TO ATTEND THE CORNELL MUNICIPAL CLERKS INSTITUTE.

By Councilor Casadei

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Rome City Clerk Louise S. Glasso, be and is hereby authorized to attend The Cornell Municipal Clerks Institute, to be held at Cornell University in Ithaca, New York on July 19 – July 23, 2009. The cost to the City of Rome for attendance at this seminar will be \$775.00, including all coursework, materials, meals and lodging.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JUNE 10, 2009

♦

JUNE 10, 2009

RESOLUTION NO. 127

EXPRESSING THE SUPPORT OF THE CITY OF ROME COMMON COUNCIL FOR AN URBAN CANOPY RESTORATION PROJECT AS PART OF THE GREEN INNOVATION GRANT PROGRAM OF THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION.

By Councilor Smith:

WHEREAS, Diane L. Shoemaker, Director of the Department of Community and Economic Development, is requesting City of Rome Common Council support of the City of Rome’s Urban Canopy Restoration Project submitted to the New York State Environmental Facilities Corporation as part of the Green Innovation Grant Program, for funding in the amount of \$250,000.00, said funding to be implemented through the New York State Clean Water and Drinking Water State Revolving funds, now, therefore,

BE IT RESOLVED, that the Common Council of the City of Rome, New York, by this Resolution, hereby expresses its support of the Urban Canopy Restoration Project for funding through the New York State Environmental Facilities Corporation Urban Canopy Restoration Project as part of the Green Innovation Grant Program, in the requested amount of \$250,000.00, with a 10% match to be provided through in-kind services and Department of Community and Economic Development contract services funding.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JUNE 10, 2009

APRIL 22, 2009

ORDINANCE NO. 8483 DIED

AUTHORIZING MAYOR OF THE CITY
OF ROME TO ENTER INTO
REHABILITATION AGREEMENT WITH
A BUYER AND APPROVING THE SALE
OF CITY OWNED PARCEL TO BUYER
CONTINGENT ON A
REHABILITATION AGREEMENT.

By Councilor Smith:

WHEREAS, New York State Real Property Tax Law Section 1166 and Rome Charter Laws, Title A, Section 33(3) allow the City of Rome to sell and convey real property obtained by virtue of a tax foreclosure proceeding, upon approval and confirmation of a five-sevenths (5/7) vote of the Rome Common Council, with or without advertising for bids, and

WHEREAS, a certain city owned parcel of land is in need of rehabilitation and the City desires to sell and convey said real property to buyer, and obtain a written guarantee from the buyer that he will perform and accomplish the necessary rehabilitation within the agreed upon time frame of approximately eighteen months from the date said rehabilitation agreement is executed, now, therefore,

BE IT ORDAINED, that the Mayor of the City of Rome is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Rome Corporation Counsel and the City of Rome Codes Enforcement Officer, for tax sale property located at 311 North Washington Street, Rome, New York, with Matt Varughese of Yes Development, for the rehabilitation of said property located at 311 North Washington Street, Rome, New York, known as Tax Map No. 242.042-1-029, and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome

that it approves and confirms the sale and conveyance of tax sale property located at 311 North Washington Street, Rome, New York, known as Tax Map No. 242.042-1-029 for consideration of the performance of a Rehabilitation Agreement for said property, and for the total sum of One and 00/100 Dollar (\$1.00), said conveyance to take place following the contingencies hereinafter set forth, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the execution by the buyer of the Rehabilitation Agreement within thirty (30) days of the adoption of this Ordinance, and

BE IT FURTHER ORDAINED, that subsequent to the execution of the Rehabilitation Agreement, this authorization is further contingent upon the granting of a written certification by the City of Rome Codes Enforcement Officer, stating that he has inspected the property and that the buyer has completed all necessary rehabilitation in the time period required by the agreement, and

BE IT FURTHER ORDAINED, that upon receipt of the written certification from the Codes Enforcement Officer, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the buyer having completed this transaction by rendering payment in full to the City of Rome within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale, and

BE IT FURTHER ORDAINED, that the real property shall at no point in time be sold, transferred, titled or conveyed to any person who was a record owner and/or mortgagor of the property within the five (5) year period immediately preceding the date on which the property was taken by the City

of Rome for non-payment of taxes. If such prohibited conveyance shall be made by any party in the succeeding chain of title, then immediately thereon (a) this conveyance shall become null and void to the buyer, his, her or their successors and/or assigns, and (b) the title to the above premises shall revert back to the City of Rome.

Seconded by Councilor Petty
By Councilor Casadei

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8483

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

Motion to TABLE by Smith, seconded by
Petty and so ordered April 22, 2009
DIED ON THE TABLE: JUNE 10, 2009

♦

MAY 13, 2009

ORDINANCE NO. 8485 DEFEATED

**AUTHORIZING THE CLOSING OF
STREETS ON JULY 4, 2009 TO
ACCOMMODATE A CONCERT AND
FIREWORKS DISPLAY
TO TAKE PLACE AT THE FORT
STANWIX NATIONAL MONUMENT.**

By Councilor Casadei:

WHEREAS, the Rome Concert Band has scheduled a performance as part of the City's Fourth of July celebration and has requested the closing of streets on Saturday, July 4, 2009, during the hours of 5:00 p.m. to 11:00 p.m., to accommodate a concert to take place on the lawn at the Fort Stanwix National Monument, now, therefore,

BE IT ORDAINED, that the Common Council of the City of Rome, New York does hereby authorize the closing of streets as outlined hereinbelow, on Saturday, July 4, 2009, during the hours of 5:00 p.m. to 11:00 p.m., to accommodate a concert, followed by a fireworks display, to take place on the lawn at the Fort Stanwix National Monument, and

BE IT FURTHER ORDAINED, that North James Street from Liberty Street to Erie Boulevard West and West Dominick Street from North James Street to the Rome Savings Bank parking lot on the north side of West Dominick Street shall be closed on Saturday, July 4, 2009, from 5:00 p.m. to 11:00 p.m. for the Rome Concert Band's performance on the lawn of the Fort Stanwix National Monument, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the above organization providing the City of Rome with a certificate of insurance in the amount of \$2,000,000 per occurrence for personal injury or death, and \$2,000,000 for property damage, or blanket coverage in the amount of \$4,000,000 naming the City of Rome as an additional insured, and indemnifying and holding the City of Rome harmless from any and all liability arising out of the closing of certain streets as outlined hereinabove, and

BE IT FURTHER ORDAINED, that the above authorization shall take effect upon placement of the appropriate barriers at each end of the affected area, and

BE IT FURTHER ORDAINED, that the Rome City Clerk shall provide a photocopy of this Ordinance to the Department of Public Works and the Rome Police Department.

Seconded by Councilor Petty

By Councilor Smith

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No.8485

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

Motion to TABLE by Casadei, seconded by Sparace and so ordered May 13, 2009
Motion to Remove from TABLE by Casadei, seconded by Petty and so ordered June 10, 2009

ORDINANCE NO. 8485

AYES:None

NAYS: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
DEFEATED: JUNE 10, 2009

♦

MAY 27, 2009

ORDINANCE NO.8491 DEFEATED

**AUTHORIZING AN AMENDMENT TO
THE OFFICIAL ZONING MAP OF THE
CITY OF ROME TO CHANGE
THE ZONING DESIGNATION OF
CERTAIN PROPERTY FROM SINGLE
FAMILY RESIDENTIAL TO MIXED
COMMERCIAL RESIDENTIAL.**

By Councilor Vescio

WHEREAS, in an effort to, among other things, facilitate residential and commercial development within the City of Rome and to protect and enhance the best interests of the citizens and businesses of the City of Rome, the Common Council of the City of Rome adopted Ordinance No. 7802A on April 28, 2004, which amended and updated the Zoning Code for the City and incorporated same as Chapter 80 to the City of Rome Code of Ordinances, hereinafter referred to as "Zoning

Code", and, which, by doing so, established new zoning districts for the City of Rome and, a new zoning map for the City, hereinafter referred to as "Zoning Map", and

WHEREAS, pursuant to New York State General City Law §§20(24), 25, 28-a and 83 and the Rome Zoning Code, Articles 3 and 24, the City of Rome Common Council has the authority to amend both the Zoning Code and/or the Zoning Map when it is deemed said amendment would protect the health, welfare and safety of citizens and businesses and/or further the public interest, and

WHEREAS, that area of the City located at 1002 Black River Boulevard, Rome, New York (hereinafter referred to as "affected premises"), as more fully set forth and described on the map and legal description, which are attached hereto and made a part hereof, is currently designated as a Single Family Residential ("R-1") Zoning District, and

WHEREAS, the nature of the subject parcel and characteristics of the building located thereon make it an unlikely site for a single family residence, and it is more appropriately classified as a mixed use development that combines commercial, office, entertainment, public and residential issues on a single site or corridor, and

WHEREAS, 7th Ward Councilor Philip Vescio suggests that changing the zoning district designation of the affected premises from R-1 Single Family Residential to C-2 Mixed Commercial Zoning District is appropriate to the parcel and may enhance the ability of the subject parcel to be developed in accordance with the Zoning Code, and

WHEREAS, it is in best interests of the City of Rome to make the aforementioned amendment to the Zoning Map as said amendment will enhance and protect the health, safety and welfare of the City's residents and businesses, and

WHEREAS, as required by §§80-3.3 and 80-24.3 of the Rome Zoning Code, the

Common Council has referred the proposed Zoning Map amendment to the City of Rome Planning Board for report and recommendation, and

WHEREAS, upon review of the issue, the Planning Board has determined, among other things, that said amendment to the Zoning Map will protect the health, safety and welfare of the City's residents and businesses and recommends that the proposed amendment to the Zoning Map be adopted by the Common Council, which said determinations were contained in the Planning Board's Report of Recommendations, which was filed with the Common Council on or about _____, 2009, and

WHEREAS, the proposed amendment to the Zoning Map has been submitted for State Environmental Quality Review ("SEQRA") and said review was completed on or about _____, 2009, and

WHEREAS, the Common Council has held a public hearing regarding the proposed amendment on _____, 2009, which said hearing permitted all interested persons to comment on the proposed amendment, now, therefore,

BE IT ORDAINED, by the City of Rome Common Council that the Rome Zoning Map be and hereby is amended by changing the zoning designation of the parcel located within

the attached legal description from Single Family Residential ("R-1") to Mixed Commercial Residential ("C-2") and

BE IT FURTHER ORDAINED, by the City of Rome Common Council that this Ordinance shall take effect immediately upon approval of this Ordinance.
Seconded by Councilor Casadei
By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8491
Seconded by Councilor Varano

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

Motion to TABLE and refer to Planning by Vescio, seconded by Casadei and so ordered May 27, 2009
Motion to Remove from TABLE by Vescio, seconded by Casadei and so ordered June 10, 2009

ORDINANCE NO 8491
AYES:None
NAYS: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
DEFEATED: JUNE 10, 2009

♦

Motion to adjourn by Vescio, seconded by Petty and so ordered June 10, 2009.

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**COMMON COUNCIL MEETING
REGULAR SESSION
PROCEEDINGS**

**JUNE 24, 2009
7:30PM**

PRESENT: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

PLEDGE OF ALLEGIANCE

**INVOCATION by President Mazzaferro
GENERAL PUBLIC HEARING**

Joe Sallustio – 1212 N. James St. – Individuals have the right to assemble on public property but there is a noise ordinance within the City of Rome. Residents have the right to be in their yards/homes and not hear loud noises generated from parties or group assemblies.

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Casadei, seconded by Vescio that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

The following businesses have notified the City Clerk's Office of their intention to renew liquor licenses:

Boyz from Italy, Inc.
The Chrome Pony, Inc.
(Received & filed)

262 W. Dominick St
6837 Stanwix Ave.

REPORT OF CITY OFFICIALS

Glasso – Received e-mail from Bill Guglielmo, Chamber Commerce, and he requests Ord. No. 8494 be amended to the street closing at 5:00pm

Mazzaferro – NYS Attorney General's Office has information regarding Health Care issues. If anyone would like the information, please contact me.

Martin-Grande – Res. No. 130 needs to be amended in the 1st paragraph.

REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

Darcangelo – Finance Committee met with Frank Tallarino regarding the bonding legislation. There are many streets within the city in need of repair and although the bonding sounds like a lot of money, for street repair it doesn't go that far. Mayor Brown went on a tour of the streets and there is a delicate balance so not to increase taxes in 2010.

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JUNE 24, 2009

RESOLUTION NO. 128

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND CONFERENCE.

By Councilor Vescio:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Captain Scott Wittmann and Senior Investigator Jonathan Carr, be and are hereby authorized to attend a two-day conference entitled "Basic Public Information Officer Course", sponsored by New York State Emergency Management, to be held at the New York State Homeland Security Training Center in Oriskany, New York on July 8 – 9, 2009. The cost to the City of Rome for attendance at this Conference will consist of meal reimbursement only.

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JUNE 24, 2009

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JUNE 24, 2009

RESOLUTION NO. 129

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND CONFERENCE.

By Councilor Vescio:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Captain Scott Wittmann, Sergeants Steve Armstrong, Jay DiMaggio, and Patrolman Donald D'Auito, be and are

hereby authorized to attend a one-day conference entitled "Rail Car Incident Response Course", sponsored by New York State Emergency Management, to be held at the New York State Homeland Security Training Center in Oriskany, New York on July 17, 2009. The cost to the City of Rome for attendance at this Conference will consist of meal reimbursement only.

Seconded by Councilor Varano

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JUNE 24, 2009

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JUNE 24, 2009

RESOLUTION NO. 130A

AUTHORIZING THE MAYOR OF THE
CITY OF ROME TO ENTER INTO AN
AGREEMENT WITH THE SOUTHERN
TUG HILL SNO-RIDERS, INC.

By Councilor Varano:

WHEREAS, the Southern Tug Hill Sno-Riders, Inc., of Constableville, New York, has contacted the City of Rome with a request to cut and remove trees from City owned property thus enhancing the snowmobile trail in the area by making it safer and easier to groom the trail, now, therefore,

BE IT RESOLVED, that the Mayor of the City of Rome is hereby authorized to execute an Agreement on behalf of the City of Rome with the Southern Tug Hill Sno-Riders, Inc., of Constableville, New York, whereby the Southern Tug Hill Sno-Riders, Inc. will cut and remove trees on City of Rome property, located in Lewis County, along the east side of the Swancott-Mills/Creek Road, and

BE IT FURTHER RESOLVED, that the terms of this agreement shall include the Southern

Tug Hill Sno-Riders, Inc. supplying the City of Rome, New York with a certificate of insurance, naming the City of Rome as an additional insured.

JUNE 24, 2009

RESOLUTION NO. 132A

Seconded by Councilor Vescio

APPOINTING COMMISSIONER OF DEEDS.

Motion to Amend 1st paragraph 3rd line by Casadei, seconded by Varano and so ordered June 24, 2009

By Councilor Petty:

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JUNE 24, 2009

BE IT RESOLVED, by the Common Council of the City of Rome that the following individual be and is hereby appointed Commissioner of Deeds for the City of Rome, New York, for a term to expire December 31, 2010:

Michael J. DelPiano, Sr.
Sharon Brockway

♦
JUNE 24, 2009

Motion to WR6 by Petty, seconded by Smith and so ordered June 24, 2009

and,

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

RESOLUTION NO. 131WR6*

Seconded by Councilor Vescio

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND CONFERENCE.

Motion to Amend to insert Sharon Brockway by Vescio, seconded by Casadei and so ordered June 24, 2009

By Councilor Sparace:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Detective James Boyer, Sergeant Jay DiMaggio and Patrolman Derek Utter, be and are hereby authorized to attend a one-day conference entitled "Vehicle Arson Investigations Workshop", sponsored by New York State Division of Criminal Justice Services, to be held in Clay, New York on June 24, 2009. There is no cost to the City of Rome for attendance at this Conference.

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JUNE 24, 2009

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JUNE 24, 2009

ORDINANCE NO. 8492

AUTHORIZING THE CLOSING OF A
PORTION OF SYCAMORE STREET ON
JUNE 27, 2009, OR ALTERNATIVELY,
ON JUNE 28, 2009 AS A RAIN DATE.

Seconded by Councilor Varano

By Councilor Darcangelo:

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JUNE 24, 2009

WHEREAS, the Rome City School District has requested the closing of a portion of Sycamore Street from Turin Street to Carroll Street

on Saturday, June 27, 2009, during the hours of 8:00 a.m. to approximately 1:00 p.m., in conjunction with the Rome Free Academy graduation ceremonies, or alternatively, on Sunday, June 28, 2009, during the hours of 12:00 noon to approximately 4:00 p.m., now, therefore,

BE IT ORDAINED, that the Common Council of the City of Rome, New York does hereby authorize the closing of a portion of Sycamore Street from Turin Street to Carroll Street, on Saturday, June 27, 2009, during the hours of 8:00 a.m. to approximately 1:00 p.m., or as an alternate rain date, on Sunday, June 28, 2009, during the hours of 12:00 noon until approximately 4:00 p.m., in conjunction with the Rome Free Academy graduation ceremonies, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the above organization providing the City of Rome with a certificate of insurance in the amount of \$2,000,000.00 per occurrence for personal injury or death, and \$2,000,000.00 for property damage, or blanket coverage in the amount of \$4,000,000.00, naming the City of Rome as an additional insured and indemnifying and holding the City of Rome harmless from any and all liability arising out of the closing of a portion of Sycamore Street as outlined hereinabove, and

BE IT FURTHER ORDAINED, that the above authorization shall take effect upon placement of the appropriate barriers at each end of the affected area.

Seconded by Councilor Vescio
By Councilor Petty

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8492

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8492

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JUNE 24, 2009

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JUNE 24, 2009

ORDINANCE NO. 8493

AUTHORIZING MAYOR OF THE CITY OF ROME TO ENTER INTO REHABILITATION AGREEMENT WITH A BUYER AND APPROVING THE SALE OF CITY OWNED PARCEL TO BUYER CONTINGENT ON A REHABILITATION AGREEMENT.

By Councilor Petty:

WHEREAS, New York State Real Property Tax Law Section 1166 and Rome Charter Laws, Title A, Section 33(3) allow the City of Rome to sell and convey real property obtained by virtue of a tax foreclosure proceeding, upon approval and confirmation of a five-sevenths (5/7) vote of the Rome Common Council, with or without advertising for bids, and

WHEREAS, a certain city owned parcel of land is in need of rehabilitation and the City desires to sell and convey said real property to buyer, and obtain a written guarantee from the buyer that he will perform and accomplish the necessary rehabilitation within the agreed upon time frame of approximately six months from the date said rehabilitation agreement is executed, now, therefore,

BE IT ORDAINED, that the Mayor of the City of Rome is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Rome Corporation Counsel and the City of Rome Codes Enforcement Officer, for tax sale property located at 604 West Liberty Street, Rome, New York, with Natalie Kowalchuk, for the rehabilitation of said property located at 604 West Liberty Street, Rome, New York, known as Tax Map No. 242.006-0003-070, and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome that it approves and confirms the sale and conveyance of tax sale property located at 604 West Liberty Street, Rome, New York, known as Tax Map No. 242.006-0003-070 for consideration of the performance of a Rehabilitation Agreement for said property, and for the total sum of Two Hundred Fifty and 00/100 Dollars (\$250.00), said conveyance to take place following the contingencies hereinafter set forth, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the execution by the buyer of the Rehabilitation Agreement within thirty (30) days of the adoption of this Ordinance, and

BE IT FURTHER ORDAINED, that subsequent to the execution of the Rehabilitation Agreement, this authorization is further contingent upon the granting of a written certification by the City of Rome Codes Enforcement Officer, stating that he has inspected the property and that the buyer has completed all necessary rehabilitation in the time period required by the agreement, and

BE IT FURTHER ORDAINED, that upon receipt of the written certification from the Codes Enforcement Officer, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the buyer having completed this transaction by rendering payment in full to the City of Rome within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale, and

BE IT FURTHER ORDAINED, that the real property shall at no point in time be sold, transferred, titled or conveyed to any person who was a record owner and/or mortgagor of the property within the five (5) year period immediately preceding the date on which the property was taken by the City of Rome for non-payment of taxes. If such prohibited conveyance

shall be made by any party in the succeeding chain of title, then immediately thereon (a) this conveyance shall become null and void to the buyer, his, her or their successors and/or assigns, and (b) the title to the above premises shall revert back to the City of Rome.

Seconded by Councilor Smith
By Councilor Casadei

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8493

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8493

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JUNE 24, 2009

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JUNE 24, 2009

ORDINANCE NO. 8494A

AUTHORIZING THE CLOSING OF A
PORTION OF NORTH JAMES STREET
FROM ERIE BOULEVARD TO WEST
LIBERTY STREET FOR THE
“2009 CYCLING THE
ERIE CANAL EVENT”.

By Councilor Petty:

WHEREAS, John Mazzaferro, President of the City of Rome Common Council, has requested the closing of North James Street, from the southerly boundary of where North James Street intersects with West Liberty Street to the intersection of North James Street and Erie Boulevard, from 5:00 p.m. on Thursday, July 16, 2009

to 7:00 a.m. on Friday, July 17, 2009, in conjunction with the 2009 Cycling the Erie Canal Event which will bring approximately 500 bicyclists to Rome, now, therefore,

BE IT ORDAINED, that the Common Council of the City of Rome, New York does hereby authorize the closing of North James Street, from the southerly boundary of where North James Street intersects with West Liberty Street to the intersection of North James Street and Erie Boulevard, from 5:00 p.m. on Thursday, July 16, 2009 to 7:00 a.m. on Friday, July 17, 2009, in conjunction with the 2009 Cycling the Erie Canal Event, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the Rome Area Chamber of Commerce providing the City of Rome with a certificate of insurance in the amount of \$2,000,000 per occurrence for personal injury or death, and \$2,000,000 for property damage, or blanket coverage in the amount of \$4,000,000, naming the City of Rome as an additional insured, and indemnifying and holding the City of Rome harmless from any all liability arising out of the closing of North James Street, from the southerly boundary of where North James Street intersects with West Liberty Street to the intersection of North James Street and Erie Boulevard, from 5:00 p.m. on Thursday, July 16, 2009 to 7:00 a.m. on Friday, July 17, 2009 as outlined hereinabove, and

BE IT FURTHER ORDAINED, that the above authorization shall take effect upon placement of the appropriate barriers at each end of the affected area.

Seconded by Councilor Varano
By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8494
Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

Motion to Amend the street closing time from 4:00pm to 5:00pm by Petty, seconded by Smith and so ordered June 24, 2009

ORDINANCE NO. 8494
AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JUNE 24, 2009

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JUNE 24, 2009

ORDINANCE NO. 8495

AUTHORIZING THE ISSUANCE OF
\$2,075,000 BONDS OF THE CITY OF
ROME, ONEIDA COUNTY, NEW YORK,
TO PAY THE COST OF THE
RECONSTRUCTION OF VARIOUS
ROADS THROUGHOUT AND IN AND
FOR SAID CITY.

By Councilor Petty:

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed, now, therefore,

BE IT ORDAINED, by the affirmative vote of not less than two-thirds of the total voting strength of the Common Council of the City of Rome, Oneida County, New York, as follows:

Section 1. For the class of objects or purposes of paying the cost of the reconstruction of various roads throughout and in and for the City of Rome, Oneida County, New York, including drainage, sidewalks, curbs, gutters, landscaping, grading or improving rights-of-way, as well as other incidental improvements

and expenses in connection therewith, there are hereby authorized to be issued not to exceed \$2,075,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$2,075,000, and that the plan of financing thereof is by the issuance of the not to exceed \$2,075,000 bonds of said City authorized to be issued pursuant to this bond ordinance; **PROVIDED, HOWEVER,** that to the extent that any Federal or State grants-in-aid are received for such class of objects or purposes, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar, it being anticipated that the City shall receive \$740,840 in CHIPS aid, and \$700,270 in Community Development Block Grant funding.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen (15) years, pursuant to subdivision 20(c) of paragraph (a) of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Rome, Oneida County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Treasurer, the chief fiscal officer of said City. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except

as provided herein relating to such bonds herein authorized including date, denominations, maturities, interest payment dates, and whether said bonds shall be repaid in accordance with a schedule providing for substantially level or declining annual debt service, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the City Treasurer, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this bond ordinance are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This ordinance, which takes effect immediately, shall be published in summary form in the official newspaper of said City, together with a notice of the City Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

Seconded by Councilor Smith.
By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8495

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8495

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JUNE 24, 2009

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JUNE 24, 2009

ORDINANCE NO. 8496

**AUTHORIZING THE CLOSING OF
STREETS FOR A CONCERT
AND FIREWORKS DISPLAY AT THE
FORT STANWIX NATIONAL
MONUMENT ON JULY 4, 2009.**

By Councilor Casadei:

WHEREAS, the City of Rome is sponsoring a concert and fireworks display at the Fort Stanwix National Monument and is requesting the closing of streets within the City of Rome for a celebration to be held on Saturday, July 4, 2009, and

WHEREAS, it is in the best interests of the City of Rome to promote and support this day of celebration and festivity, now, therefore,

BE IT ORDAINED, that North James Street from Liberty Street to Erie Boulevard West and West Dominick Street from North James Street to the Rome Savings Bank parking lot on the north side of West Dominick Street shall be

closed on July 4, 2009, from 5:00 p.m. to 10:00 p.m. for the Fourth of July Concert to be held at the Fort Stanwix National Monument, and

BE IT FURTHER ORDAINED, that the above authorization shall take effect upon placement of the appropriate barriers at each end of the affected areas.

Seconded by Councilor Petty
By Councilor Vescio

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No.8496

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8496

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JUNE 24, 2009

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JUNE 24, 2009

ORDINANCE NO. 8497

**AUTHORIZING THE SUSPENSION OF
PARKING FEES
APPLICABLE AT THE FORT STANWIX
PARKING GARAGE FOR A SET TIME
PERIOD ON JULY 4, 2009.**

By Councilor Petty:

WHEREAS, the Common Council of the City of Rome, New York, previously adopted parking rules and regulations pertaining to municipal parking areas, including fees for use of the municipal parking garages, within the jurisdiction of the City of Rome, and

WHEREAS, it has been recommended that the parking fees applicable to use of the Fort Stanwix (formerly known as the Liberty/James Street) Parking Garage be temporarily suspended on Saturday, July 4, 2009, during the hours of 6:00 p.m. to 11:00 p.m., to permit the free use of said garage by the general public during the Fourth of July Concert and Fireworks to be held at the Fort Stanwix National Monument, now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome, New York that the best interests of the citizens of the City of Rome are furthered by waiving the parking fees applicable for use of the Fort Stanwix Parking Garage to permit the free use of said garage by the general public during the Fourth of July Concert and Fireworks to be held on Saturday, July 4, 2009, and

BE IT FURTHER ORDAINED, that a copy of this Ordinance shall be forwarded by the Rome City Clerk to Frank D. Tallarino, Jr., Commissioner of Public Works, as well as to Richard Miller, Department of Parks, Recreation and Community Activities.

Seconded by Councilor Sparace

By Councilor Darcangelo

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No.8497

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ORDINANCE NO. 8497

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: JUNE 24, 2009

JUNE 24, 2009

ORDINANCE NO. 8498

AUTHORIZING THE SUSPENSION OF PARKING FEES APPLICABLE AT THE LIBERTY PLAZA PARKING GARAGE FOR A SET TIME PERIOD ON JULY 4, 2009.

By Councilor Petty:

WHEREAS, the Common Council of the City of Rome, New York, previously adopted parking rules and regulations pertaining to municipal parking areas, including fees for use of the municipal parking garages, within the jurisdiction of the City of Rome, and

WHEREAS, it has been recommended that the parking fees applicable to use of the Liberty Plaza (formerly known as the Liberty/George Street) Parking Garage be temporarily suspended on Saturday, July 4, 2009, during the hours of 3:00 p.m. to 11:00 p.m., to permit the free use of said garage by the general public during Tax Revolt Tea Party to be held on the Fourth of July, as well as the Fourth of July Concert and Fireworks scheduled to be held at the Fort Stanwix National Monument, now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome, New York that the best interests of the citizens of the City of Rome are furthered by waiving the parking fees applicable for use of the Liberty Plaza Parking Garage to permit the free use of said garage by the general public during the Tax Revolt Tea Party to be held on the Fourth of July, as well as the Fourth of July Concert and Fireworks scheduled to be held on Saturday, July 4, 2009, and

BE IT FURTHER ORDAINED, that a copy of this Ordinance shall be forwarded by the Rome City Clerk to Frank D. Tallarino, Jr., Commissioner of Public

Works, as well as to Richard Miller, Department of Parks, Recreation and Community Activities.

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio
NAYS: None

Seconded by Councilor Smith
By Councilor Varano

ORDINANCE NO. 8498
AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JUNE 24, 2009

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8498

Seconded by Councilor_Casadei

Motion to adjourn by Petty, seconded by Casadei and so ordered June 24, 2009.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that Ordinance No.8495 a summary of which is published herewith, has been adopted by the Common Council of the City of Rome, Oneida County, New York, on 24th Day of June 2009, and the validity of the obligations authorized by such ordinance may be hereafter contested only if such obligations were authorized for an object or purpose for which said City is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed, now, therefore,

BE IT ORDAINED, by the affirmative vote of not less than two-thirds of the total voting strength of the Common Council of the City of Rome, Oneida County, New York, as follows:

Section 1. For the class of objects or purposes of paying the cost of the reconstruction of various roads throughout and in and for the City of Rome, Oneida County, New York, including drainage, sidewalks, curbs, gutters, landscaping, grading or improving rights-of-way, as well as other incidental improvements and expenses in connection therewith, there are hereby authorized to be issued not to exceed \$2,075,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$2,075,000, and that the plan of financing thereof is by the issuance of the not to exceed \$2,075,000 bonds of said City authorized to be issued pursuant to this bond ordinance; **PROVIDED, HOWEVER**, that to the extent that any Federal or State grants-in-aid are received for such class of objects or purposes, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar, it being anticipated that the City shall receive \$740,840 in CHIPS aid, and \$700,270 in Community Development Block Grant funding.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen (15) years, pursuant to subdivision 20(c) of paragraph (a) of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Rome, Oneida County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Treasurer, the chief fiscal officer of said City. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such bonds herein authorized including date, denominations, maturities, interest payment dates, and whether said bonds shall be repaid in accordance with a schedule providing for substantially level or declining annual debt service, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the City Treasurer, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this bond ordinance are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This ordinance, which takes effect immediately, shall be published in summary form in the official newspaper of said City, together with a notice of the City Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

Dated: Rome, New York,
June 25, 2009
To Appear: July 2, 2009
One (1) Time

Louise S. Glasso, CMC
Rome City Clerk

**COMMON COUNCIL MEETING
REGULAR SESSION
PROCEEDINGS**

**JULY 8, 2009
7:30PM**

**PRESENT: Sparace, Varano, Petty, Smith, Darcangelo, Vescio
EXCUSED: Casadei**

PLEDGE OF ALLEGIANCE

INVOCATION by President Mazzaferro

GENERAL PUBLIC HEARING

Joe Sallustio – 1212 N. James St. – Old base gym was suppose to be part of the new high school but after extensive studies it was determined that it was located to close to a railroad tracks which is a potential hazard. Bio chemicals are also stored on the base within 200 feet of the gym and it was never ruled that the land is safe. In an emergency situation could students be evacuated from the site?

Andrew Savoie – 404 N. Madison St. – If the old base gym cannot be used by the city, it needs to be marketed.

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Petty, seconded by Sparace that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

Anthony DeMatteo, DeMatteo's Restaurant, notified the City Clerk's Office of his application to NYS Liquor Authority to expand by adding a back patio to premises.
(Received & filed)

WR6 Communication by Sparace, seconded by Smith and so ordered July 8, 2009
George P. Kiskiel submitted a letter to members of the council pertaining to the use of the former base gym.

NOTICES

Members of the Council to meet with Rich Miller July 8th @ 6:00pm at the Griffiss Gym for a tour of the facility

REPORT OF CITY OFFICIALS

Mazzaferro – to Tallarino – what is the status of the truck route study?

Tallarino – Working on the truck route and a meeting will be scheduled with members of the council

REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

Darcangelo – Thanks to Louise Glasso, City Clerk & Rich Miller, the 4th of July concert was a success.

Vescio – to Tallarino – What are there regulations that impact chemicals found in land?

Tallarino – Will research and meet with members of the council

Sparace – to Tallarino – Crosswalks in the 1st ward need to be repainted.

♦ ♦ ♦

JULY 8, 2009

ORDINANCE NO. 8499

AUTHORIZING THE CLOSING OF A
PORTION OF WEST EMBARGO
STREET ON AUGUST 22, 2009.

By Councilor Petty:

WHEREAS, Angela Petty, Councilor for the Third Ward, and Ramona Smith, Councilor for the Fourth Ward for the City of Rome, have requested the closing of the 300 block of West Embargo Street on Saturday, August 22, 2009, during the hours of 10:00 a.m. to 2:00 p.m., in conjunction with a block party for the Park Street Block Coalition, now, therefore,

BE IT ORDAINED, that the Common Council of the City of Rome, New York does hereby authorize the closing of the 300 block of West Embargo Street on Saturday, August 22, 2009, during the hours of 10:00 a.m. to 2:00 p.m., in conjunction with a block party for the Park Street Block Coalition, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the above organization providing the City of Rome with a certificate of insurance in the amount of \$2,000,000.00 per occurrence for bodily injury or death, and \$2,000,000.00 for property damage, or blanket coverage in the amount of \$4,000,000.00, naming the City of Rome as an additional insured and indemnifying and holding the City of Rome

harmless from any and all liability arising out of the closing of the 300 block of West Embargo Street as outlined hereinabove, and

BE IT FURTHER ORDAINED, that the above authorization shall take effect upon placement of the appropriate barriers at each end of the affected area.

Seconded by Councilor Smith

By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8499

Seconded by Councilor Varano

AYES: Sparace, Varano, Petty, Smith, Darcangelo, Vescio

NAYS: None

EXCUSED: Casadei

ORDINANCE NO. 8499

AYES: Sparace, Varano, Petty, Smith, Darcangelo, Vescio

NAYS: None

EXCUSED: Casadei

ADOPTED: JULY 8, 2009

♦

JULY 8, 2009

ORDINANCE NO. 8500 TABLED

AUTHORIZING THE CLOSING OF A
PORTION OF WEST DOMINICK
STREET ON AUGUST 22, 2009.

♦
JULY 8, 2009

ORDINANCE NO. 8501

**AUTHORIZING AN EASEMENT FOR
PROPERTY LOCATED
AT 530 HARBOR WAY,
ROME, NEW YORK.**

By Councilor Varano:

WHEREAS, Echo Beach Industries, LLC, a limited liability corporation doing business in the State of New York, has requested that the City of Rome grant an easement across City property for the purposes set forth in the Easement Agreement, attached hereto as Exhibit A, within City property located adjacent to 530 Harbor Way, as shown on the map attached hereto as Exhibit B, and

WHEREAS, the Commissioner of Public Works has indicated his approval for the granting of an easement on the aforementioned property, now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome, New York, that it does hereby authorize the granting of an easement to Echo Beach Industries, LLC, across City property for the purposes set forth in the Easement Agreement attached hereto as Exhibit A, within City property located adjacent to 530 Harbor Way, as

shown on the map attached hereto as Exhibit B, and

BE IT FURTHER ORDAINED, that the Mayor is hereby authorized to execute all documents necessary to complete the granting of the aforesaid easement, and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately.

Seconded by Councilor Sparace
By Councilor Petty

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8501

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Darcangelo, Vescio

NAYS: None

EXCUSED: Casadei

ORDINANCE NO. 8501

AYES: Sparace, Varano, Petty, Smith,
Darcangelo, Vescio

NAYS: None

EXCUSED: Casadei

ADOPTED: JULY 8, 2009

♦

Motion to adjourn by Petty, seconded by Smith and so ordered July 8, 2009.

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**COMMON COUNCIL MEETING
REGULAR SESSION
PROCEEDINGS**

**JULY 22, 2009
7:30PM**

PRESENT: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

PLEDGE OF ALLEGIANCE

INVOCATION by President Mazzaferro

GENERAL PUBLIC HEARING

Sallustio – 1212 N. James St. – Whitestown is looking for the City to extend our water to them. They state their property values are going down and they are losing tax revenue. If you want the benefits of the city, be part of the city.

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Darcangelo, seconded by Petty that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

The following businesses have notified the City Clerk's Office of their intention to renew liquor licenses:

Toccolana Club	1412 E. Dominick St.
Bucky's Restaurant	1305 Floyd Ave.
Black River Ale House	1747 Black River Blvd.
St. Gregory's Club	303 ½ E. Dominick St.
Rome VFW Post 2246	315 N. Washington St.
(Received & filed)	

Capitol Theatre's financial report for quarter ended June 30, 2009 – On file City Clerk's Office

Jervis Library's financial report for quarter ended June 30, 2009 – On file City Clerk's Office

Rome Art & Community Center's financial report for quarter ended June 30, 2009 – On file City Clerk's Office

Senior Citizen Council's financial report for quarter ended June 30, 2009 – On file City Clerk's Office.

REPORT OF CITY OFFICIALS

Mazzaferro – Please support WR6 legislation and Ord. No. 8502 has 2 exhibits

REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

Casadei – Commends the work done on paving city streets

Darcangelo – 37th World Series of Bocce was this past weekend, commends volunteers

Petty – 12 years as a member of the council, outside district needs city water first.

♦

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♦

JULY 22, 2009

RESOLUTION NO. 133

**AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND SEMINAR.**

By Councilor Varano

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Sergeant Dominic Corigliano, Patrolmen Jason Paul, Thomas Medlin and Mark Fanfarillo, be and are hereby authorized to attend a one-day seminar entitled "License Plate Reader (LPR) Training Seminar", sponsored by New York State Department of Criminal Justice Services, to be held in Syracuse, New York on August 4, 2009. There is no cost to the City of Rome for attendance at this seminar.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JULY 22, 2009

♦

JULY 22, 2009

RESOLUTION NO. 134

**AUTHORIZING CITY OF ROME WATER
FILTRATION PLANT
EMPLOYEES TO ATTEND
CERTIFICATION COURSE.**

By Councilor Varano:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Thomas Andrews, Water Filtration Plant Operator, and Robert Samuels, Water Supply Supervisor, employees of the City of Rome Department of Public Works at the Water Filtration

Plant, be and are hereby authorized to attend a certification course entitled "Grade 1 Water Operator Certification Course", to be held at the Tonawanda Water Treatment Plant in Tonawanda, New York on November 9 – 13, 2009. This course is required by the New York State Health Department for an operator to be upgraded from a (IIA) Water Treatment Plant Operator to a (IA) Water Treatment Operator. The registration cost for attendance at this training is \$600.00 per person, plus reimbursement for mileage, tolls and accommodations in the approximate amount of \$600.00.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JULY 22, 2009

♦

JULY 22, 2009

RESOLUTION NO. 135

**APPOINTING COMMISSIONER OF
DEEDS.**

By Councilor Smith:

BE IT RESOLVED, by the Common Council of the City of Rome that the following individual be and is hereby appointed Commissioner of Deeds for the City of Rome, New York, for a term to expire December 31, 2010:

Andrew J. Savoie

and,

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Seconded by Councilor Varano

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JULY 22, 2009

NAYS: None
ADOPTED: JULY 22, 2009

♦
JULY 22, 2009

RESOLUTION NO. 136

AUTHORIZING THE MAYOR TO
ENTER INTO AGREEMENTS
WITH ONEIDA COUNTY WORKFORCE
DEVELOPMENT
FOR THE ONEIDA COUNTY COLLEGE
INTERNSHIP PROGRAM.

By Councilor Sparace

BE IT RESOLVED, by the Common Council of the City of Rome, that the Mayor of the City of Rome be and is hereby authorized to enter into an agreement with Oneida County Workforce Development with regard to the Oneida County College Internship Program, whereby five (5) interns shall be placed with the City of Rome and be provided work experience, and

BE IT FURTHER RESOLVED, the total cost per intern, including FICA and Workers' Compensation is \$1,989.90, with each of the five (5) interns to be paid \$9.00 per hour for two hundred hours of work. The City of Rome will be responsible for fifty percent (50%) of the total salary per intern, in the amount of \$994.95, with Oneida County Workforce Development providing the other fifty percent (50%) of the salary per intern, and

BE IT FURTHER RESOLVED, that the term of this Agreement shall extend from May 11, 2009 to September 5, 2009.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

♦
JULY 22, 2009

RESOLUTION NO. 137 A

AUTHORIZING THE COMMON
COUNCIL TO ACT AS
“LEAD AGENCY” FOR STATE
ENVIRONMENTAL QUALITY
REVIEW ACT FOR AN AMENDMENT
TO ZONING CODE OF THE
CITY OF ROME

By Councilor Smith:

WHEREAS, New York State has enacted the State Environmental Quality Review Act (“SEQRA”), to ensure municipal decision makers identify and consider potential environmental impacts before undertaking or approving an action, and

WHEREAS, under the New York Code of Rules and Regulations, the City of Rome Common Council, because it has authority to undertake, fund and approve the City action necessary for the amendment of the Zoning Code, has standing to serve as “lead agency” to determine if said action will have any impacts on the environment, and

WHEREAS, it is the opinion of the Corporation Counsel’s Office that the zoning amendment is an action for which a coordinated review may be conducted, and

WHEREAS, it is the responsibility of the Common Council, as lead agency, to confirm its status as lead agency with other interested agencies, if any, to ensure that an Environmental Assessment Form is filled out, so as to make a determination of significance as to whether or not the action

will have an adverse impact on the environment and whether or not an Environmental Impact Statement is required, now, therefore,

BE IT RESOLVED, by the City of Rome Common Council that the City of Rome Common Council is hereby designated as “lead agency” for work undertaken, funded and/or approved by the City of Rome to amend the Zoning Code of the City of Rome for purposes of a coordinated review of said action with all interested agencies, if any, and to make a determination of the action’s environmental significance, and

BE IT FURTHER RESOLVED, by the City of Rome Common Council that the Department of Community and Economic Development is hereby delegated the duty of informing other involved agencies of the Common Council’s designation as “lead agency” and to ensure that all “interested” agencies are in agreement with the Common Council being named “lead agency”, and

BE IT FURTHER RESOLVED, by the City of Rome Common Council that the President of the Common Council, or his designee, may execute any and all documents, solicit appropriate input from interested agencies and/or the public and to schedule all hearings necessary, if any, in order for the City of Rome Common Council to fulfill its duties and obligations as lead agency with respect to amendment of the Rome Zoning Code, which said duties and obligations may include, but not be limited to: the signing and filing of a negative declaration, if it be deemed one is appropriate, or the filing of an Environmental Impact Statement.

Seconded by Councilor Petty

Motion to Amend title by Petty, seconded by Sparace and so ordered July 22, 2009

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JULY 22, 2009

♦
JULY 22, 2009

RESOLUTION NO. 138 A TABLED

AUTHORIZING THE CITY CLERK TO
ADVERTISE NOTICE OF A PUBLIC
HEARING REGARDING AN
AMENDMENT TO ROME CODE OF
ORDINANCES CHAPTER 80, ZONING
CODE, SECTION 80-2.2, REGARDING
ACCESSORY STRUCTURES.

♦
JULY 22, 2009

ORDINANCE NO. 8502

AUTHORIZING AN INTERMUNICIPAL
AGREEMENT WITH THE
COUNTY OF ONEIDA RELATIVE TO
ROADSIDE DITCHING TO BE
PROVIDED BY THE CITY OF ROME
THROUGH DECEMBER OF 2009.

By Councilor Smith:

WHEREAS, the County of Oneida has approached the City of Rome with a proposal whereby the City will expend up to 60 hours to ditch County roads within the City of Rome, with the City of Rome to be reimbursed by the County of Oneida at a total cost not to exceed \$16,500.00 for the term of the proposed agreement, namely, April 2009 through December 2009, and

WHEREAS, Frank D. Tallarino, Jr., Commissioner of Public Works for the City of Rome has requested that an agreement be entered into between the City of Rome and the County of Oneida for the City’s roadside ditching of County roads within the City of Rome, now, therefore,

BE IT ORDAINED, that the Mayor of the City of Rome be and is hereby authorized to enter into an agreement between the City of Rome and the County of Oneida whereby the City of Rome will provide roadside ditching on the improved County Road system within the City of Rome, New York, from April 2009 through December 2009, with the City to furnish labor and equipment at the rates listed at Exhibit A attached hereto, with a total reimbursement by the County to the City of Rome in the amount not to exceed \$16,500.00.

Seconded by Councilor Petty
By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8502

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8502

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JULY 22, 2009

♦

JULY 22, 2009

ORDINANCE NO. 8503

AUTHORIZING THE CLOSING OF STREETS FOR THE ANNUAL HONOR AMERICA DAYS CELEBRATION ON JULY 25, 2009.

By Councilor Petty:

WHEREAS, the Rome Area Chamber of Commerce has requested the closing of streets within the City of Rome for the annual Honor America Days Celebration to be held on Saturday, July 25, 2009, and

WHEREAS, it is in the best interests of the City of Rome to promote and support this day of celebration and festivity, now, therefore,

BE IT ORDAINED, that the Common Council of the City of Rome, New York does hereby authorize the closing of the following City streets from 8:30 a.m. to 1:00 p.m. for the Honor America Days Parade: North James Street from East Chestnut Street to West Embargo Street; West Embargo Street from North James Street to North George Street; North George Street from West Embargo Street to West Dominick Street; and West Dominick Street from North George Street to the North/South James Street intersection at Fort Stanwix, and

BE IT FURTHER ORDAINED, that the Common Council of the City of Rome, New York does hereby authorize the closing of the following streets beginning at 8:00 a.m. to accommodate the Roman Runners 5K Road Race: beginning on North James Street adjacent to Rome Savings Bank and the parking garage, left onto West Liberty Street, right onto North Washington Street, right onto West Embargo Street, then left onto North James Street to Rome Memorial Hospital, where the runners will turn around, continue south on North James Street, and right onto West Embargo Street, ending at the Reviewing Stand opposite the Odd Fellows Lodge and VFW Building, and

BE IT FURTHER ORDAINED, that North James Street from Liberty Street to Erie Boulevard West and West Dominick Street from North James Street to the Rome Savings Bank parking lot on the north side of West Dominick Street shall be closed on

July 25, 2009 (with an alternate rain date of July 26, 2009), from 4:30 p.m. to 10:30 p.m. for the Honor America Days Syracuse Symphony Pops Concert at the Fort Stanwix National Monument, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the above organization providing the City of Rome with a certificate of insurance in the amount of \$2,000,000 per occurrence for bodily injury and death/property damage, or a minimum general aggregate coverage in the amount of \$4,000,000, naming the City of Rome as an additional insured, and indemnifying and holding the City of Rome harmless from any and all liability arising out of the closing of the streets as outlined hereinabove, and

BE IT FURTHER ORDAINED, that the above authorization shall take effect upon placement of the appropriate barriers at each end of the affected areas.

Seconded by Councilor Smith

By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8503

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8503

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JULY 22, 2009

♦

JULY 22, 2009

ORDINANCE NO. 8504

AUTHORIZING THE CLOSING OF
STREETS FOR THE
ROME CROP WALK.

By Councilor Smith:

WHEREAS, "Strike Out Hunger" is the theme for the 2009 Rome CROP Walk scheduled to be held on October 25, 2009, and

WHEREAS, it is in the best interests of the City of Rome to promote and support this worthwhile endeavor, which is explained in more detail in the July 6, 2009 letter attached hereto, now, therefore,

BE IT ORDAINED, that the Common Council of the City of Rome, New York does hereby authorize the closing of the following City streets beginning at 1:30 p.m. on October 25, 2009, starting from St. John's Lutheran Church on Carroll Street to West Walnut Street, and from West Walnut Street on to North James Street, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the above organization providing the City of Rome with a certificate of insurance in the amount of \$2,000,000.00 per occurrence, for bodily injury and death/property damage, and a minimum general aggregate coverage of \$4,000,000.00, naming the City of Rome as an additional insured, and indemnifying and holding the City of Rome harmless from any and all liability arising out of the closing of the streets as outlined hereinabove, and

BE IT FURTHER ORDAINED, that the above authorization shall take effect upon placement of the appropriate barriers at each end of the affected area.

Seconded by Councilor Petty
By Councilor Varano

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8504

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8504

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JULY 22, 2009

♦

JULY 22, 2009

ORDINANCE NO. 8505

AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE CAPITAL RESERVE ACCOUNT PURSUANT TO ROME CITY CHARTER LAWS.

By Councilor Smith:

♦

WHEREAS, the City of Rome annually undertakes various capital improvement and/or emergency projects, collectively said projects are referred to as "Capital Project" or "Capital Projects", for which, depending on the size and scope of the Capital Project, bonding may be required and approved by the Common Council of the City of Rome, and

WHEREAS, Rome City Charter Section 32, Appropriations, requires the Common Council to approve allocations of certain funding for a specified purpose, and

WHEREAS, Chief Kevin Beach of the City of Rome Police Department has requested that funding in an amount not to

exceed Thirty Thousand and 00/100 dollars (\$30,000.00) be allocated from the Capital Reserve Account for the purchase of a new police vehicle for the Rome Police Department, now, therefore,

BE IT ORDAINED, that pursuant to Rome City Charter Laws, funding in an amount not to exceed Thirty Thousand and 00/100 dollars (\$30,000.00) shall be allocated from the Capital Reserve Account for the purchase of a new police vehicle for the Rome Police Department, and

BE IT FURTHER ORDAINED, that the authorization contained herein shall be further subject to approval by the City of Rome's Board of Estimate and Contract.

Seconded by Councilor Petty
By Councilor Vescio

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8505

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ORDINANCE NO. 8505
AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: JULY 22, 2009

♦

JULY 22, 2009

ORDINANCE NO. 8506 TABLED

AN ORDINANCE AMENDING ROME CODE OF ORDINANCES, CHAPTER 80, ZONING CODE, ARTICLE II, SECTION 80-2.2 REGARDING ACCESSORY STRUCTURES.

♦
JULY 22, 2009

Motion to WR6 by Sparace, seconded by Petty and so ordered July 22, 2009

ORDINANCE NO. 8507*

AUTHORIZING THE SUSPENSION OF
PARKING FEES APPLICABLE AT THE
FORT STANWIX PARKING GARAGE
ON JULY 25, 2009.

By Councilor Petty

WHEREAS, the Common Council of the City of Rome, New York, previously adopted parking rules and regulations pertaining to municipal parking areas, including fees for use of the municipal parking garages, within the jurisdiction of the City of Rome, and

WHEREAS, it has been recommended that the parking fees applicable to the use of the Fort Stanwix Parking Garage be temporarily suspended on July 25, 2009, (with an alternate rain date of July 26, 2009), to permit the free use of said garage by the general public during the annual "Honor America Days" celebration, including the annual Syracuse Symphony Concert to be held on said date at Fort Stanwix National Monument, now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome, New York that the best interests of the citizens of the City of Rome are furthered by waiving the parking fees applicable to use of the Fort Stanwix Parking Garage during the annual Honor America Days celebration, and that, by this Ordinance, said fees are hereby waived during the hours of 6:00 p.m. to 11:30 p.m. on July 25, 2009, (with an

alternate rain date of July 26, 2009), so as to facilitate the free use of said garage by the general public during the Honor America Days celebration, including the annual Syracuse Symphony Concert to be held on said date at Fort Stanwix National Monument, and

BE IT FURTHER ORDAINED, that effective July 26, 2009, (or July 27, 2009, if the alternate rain date of July 26, 2009 is utilized), the suspension of fees authorized hereby shall expire and, on said date, all applicable parking fees shall be in full force and effect at the Fort Stanwix Parking Garage, and

BE IT FURTHER ORDAINED, that a copy of this Ordinance shall be forwarded by the Rome City Clerk to Frank D. Tallarino, Jr., Commissioner of Public Works.

Seconded by Councilor Smith
By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8507

Seconded by Councilor Varano

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8507

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ADOPTED: JULY 22, 2009
♦

Motion to adjourn by Casadei, seconded by Vescio and so ordered July 22, 2009.

♦ ♦ ♦

PUBLIC NOTICE

Notice is hereby given that the fiscal affairs of the City of Rome, New York for the year beginning on January 1 and ending on December 31, 2008, have been examined by an independent public accountant and that the report of and management letter prepared in conjunction with the external audit by the independent public accountant has been filed in my office where it is available as a public record for inspection by all interested persons. Pursuant to §35 of the General Municipal Law, the governing Common Council of the City of Rome, New York may, in its discretion, prepare a written response to the report of external audit or management letter by independent public accountant and file any such response in my office as a public record for inspection by all interested persons no later than August 11, 2009.

Louise S. Glasso, CMC
Rome City Clerk

Rome Daily Sentinel
To Appear: August 17, 2009
Dated: August 13, 2009
One (1) time only

♦ ♦ ♦

**COMMON COUNCIL MEETING
REGULAR SESSION
PROCEEDINGS**

**AUGUST 12, 2009
7:30PM**

**PRESENT: Sparace, Petty, Smith, Casadei, Darcangelo, Vescio
EXCUSED: Varano**

PLEDGE OF ALLEGIANCE

INVOCATION by President Mazferro

GENERAL PUBLIC HEARING

Bill Hoffmeister – 816 Erie Blvd. W. – Please **Table** Ord. No. 8507-2 regarding property @ 115 Lawrence St.. No notice was given to neighbors regarding the sale of property. I wanted to purchase this parcel and notification of the sale was not fair.

Andrew Savoie – 404 N. Madison St. – Please consider Tabling all legislation pertaining to rehabilitation agreements

Joe Sallustio 1212 N. James St. – Property located on the corner of N. James St. & Pine St. installed a 6 ft. fence that required a variance. Code's Dept needs to advise residence of the code before issuing permits.

Rose LoParco – 6433 State Rte. 233 Whitestown – Approximately 27 houses plus a church would like to connect to City of Rome's water.

Kim Rogers – 5171 Oswego Rd. – When considering extending the City's water to Whitestown, we need to look in the future and the possibility of new construction.

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Casadei, seconded by Vescio that the reading of the minutes of the preceding session be dispensed with and that they be approved.

7. PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

The following businesses have notified the City Clerk's Office of their intention to renew liquor licenses:

Rome Country Club, Inc.
Aquino's Restaurant
Henry P. Smith Post 24
Rome Musical Club, Inc.
(Received & filed)

5342 Rome Taberg Rd.
910 Floyd Ave.
325 Erie Blvd. W.
312 E. Dominick St.

Rome Historical Society's financial report for quarter ended June 30, 2009 – On file City Clerk's Office.

NOTICES

Members of the council to meet with Rich Miller to discuss the tour of Athletic Facility – August 12th @ 6:45pm

REPORT OF CITY OFFICIALS

Martin-Grande – Please Table Ord. No. 8507-2

Mazzaferro – There has been no decision as yet concerning extending water to Whitestown residents.

REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

Darcangelo – Council will be having a work session regarding the water issue. I am not opposed to extending the City's water but we need a long term commitment and plan. 3rd & 6th ward residents needs must be considered first.

♦

♦

♦

AUGUST 12, 2009

RESOLUTION NO. 139

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND TRAINING SEMINAR.

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Captain Wittmann, Lieutenants Bielby and Worth, Sergeants

DiMaggio, Reilly and Mock, as well as Patrolmen M. Ciccone, Robert Galluppi, Collins, Fanfarillo, Medlin, Fragapane, Paul, Williams, Carnevale, Lanigan, Kennedy, A. Ciccone, Glasso and Fairbrother, be and are hereby authorized to attend a one-day training seminar entitled "Current Drug Trends Training Seminar", sponsored by New York State Department of Criminal Justice Services, to be held in Utica, New York on September 10, 2009. The only cost to the City of Rome for attendance at this seminar will be for lunch reimbursement in the total amount of \$100.00.

Seconded by Councilor Smith

AUGUST 12, 2009

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio

NAYS: None

EXCUSED: Varano

ADOPTED: AUGUST 12, 2009

♦

AUGUST 12, 2009

RESOLUTION NO. 140

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT
PERSONNEL TO ATTEND
CONFERENCE.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Investigator Thomas Yoxall and Patrolman Shawn Platt, be and are hereby authorized to attend a two-week conference entitled "DEA Narcotics Course", sponsored by Drug Enforcement Agency and the Department of Justice Services, to be held in Syracuse, New York on September 14-25, 2009. The only cost to the City of Rome for attendance at this conference will be for lunch reimbursement in the total amount of \$100.00.

Seconded by Councilor Vescio

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio

NAYS: None

EXCUSED: Varano

ADOPTED: AUGUST 12, 2009

♦

RESOLUTION NO. 141

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT
PERSONNEL TO ATTEND TRAINING.

By Councilor Smith

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Sergeant Steve Armstrong and Senior Investigator Jon Carr, be and are hereby authorized to attend a two day training seminar entitled "Statement Analysis Training", sponsored by the Department of Justice Services and the FBI, to be held in Albany, New York on August 20-21, 2009. The only cost to the City of Rome for attendance at this conference will be for lunch reimbursement in the total amount of \$20.00.

Seconded by Councilor Petty

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio

NAYS: None

EXCUSED: Varano

ADOPTED: AUGUST 12, 2009

♦

AUGUST 12, 2009

RESOLUTION NO. 142

AUTHORIZING CITY OF ROME FIRE
DEPARTMENT PERSONNEL TO
ATTEND FIRE/ARSON
INVESTIGATION SCHOOL.

By Councilor Sparace:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Fire Department Firefighters Rex Mazur, Patrick

Brennan and Jason Livingston, be and are hereby authorized to attend a Fire/Arson Investigation School, to be held in Montour Falls, New York on September 21-October 2, 2009. The cost to the City of Rome for attendance at this schooling will be in the total amount of \$1,221.00, including registration in the amount of \$25.00 each, plus \$382.00 for room and board for each attendee.

Seconded by Councilor Vescio

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: AUGUST 12, 2009

♦
AUGUST 12, 2009

RESOLUTION NO. 143

AUTHORIZING CITY OF ROME FIRE
DEPARTMENT PERSONNEL TO
ATTEND FIRE BEHAVIOR/ARSON
AWARENESS SCHOOL.

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Fire Department Firefighters Rex Mazur, Patrick Brennan and Jason Livingston, be and are hereby authorized to attend a Fire Behavior/Arson Awareness School, to be held in Montour Falls, New York on August 17 – August 21, 2009. The cost to the City of Rome for attendance at this schooling will be in the total amount of \$648.00, including registration in the amount of \$25.00 each, plus \$191.00 for room and board for each attendee.

Seconded by Councilor Sparace

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio

NAYS: None
EXCUSED: Varano
ADOPTED: AUGUST 12, 2009

♦
AUGUST 12, 2009

RESOLUTION NO. 144

AUTHORIZING ROME CITY CLERK TO
ATTEND NYCOM FALL TRAINING.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Rome City Clerk Louise S. Glasso, be and is hereby authorized to attend a NYCOM Fall Training, to be held in Albany, New York on September 21- 24, 2009. The cost to the City of Rome for attendance at this training will be in the total amount of \$770.00, including coursework materials, meals, mileage reimbursement, and lodging.

Seconded by Councilor Sparace

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: AUGUST 12, 2009

♦
AUGUST 12, 2009

RESOLUTION NO. 145

AUTHORIZING PLANNING
COORDINATOR TO ATTEND
CONFERENCE.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Matt Andrews,

Planning Coordinator in the Department of Community and Economic Development, be and is hereby authorized to attend a New York State Planning Federation Conference, to be held in Lake Placid, New York on September 14-15, 2009. The cost to the City of Rome for attendance at this conference will be in the total amount of \$375.00, including registration and lodging, plus reimbursement for mileage and meals.

Seconded by Councilor Petty

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: AUGUST 12, 2009

♦

AUGUST 12, 2009

RESOLUTION NO. 146

ACCEPTING DONATION PRESENTED TO THE CITY OF ROME DEPARTMENT OF PARKS AND RECREATION

By Councilor Smith:

WHEREAS, Wal-Mart has contacted the City of Rome Department of Parks and Recreation with a donation of \$2,500.00 to be used to enhance various programs offered by the Department, and

WHEREAS, the Rome City Charter states that the Common Council must authorize and accept donations made to the City of Rome on behalf of the City of Rome, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that a donation of \$2,500.00 to be used as follows: \$1,000.00 for the City of Rome's Summer Program, \$1,000.00 for the Holiday Tree Lighting Ceremony, and \$500.00 for

the Sports Program, shall be gratefully accepted by the City of Rome, and

BE IT FURTHER RESOLVED, that the Common Council hereby expresses its appreciation to Wal-Mart for the donation of \$2,500.00 to be used by the Department of Parks and Recreation to enhance the programs offered by the City of Rome.

Seconded by Councilor Petty

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: AUGUST 12, 2009

♦

AUGUST 12, 2009

RESOLUTION NO. 147

APPOINTING COMMISSIONER OF DEEDS.

By Councilor Casadei:

BE IT RESOLVED, by the Common Council of the City of Rome that the following individual be and is hereby appointed Commissioner of Deeds for the City of Rome, New York, for a term to expire December 31, 2010:

Pamela O. Rahmer
and,

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Seconded by Councilor Vescio.

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: AUGUST 12, 2009

AUGUST 12, 2009

WAIVE RULE SIX

AUGUST 12, 2009

Motion to WR6 by Casadei, seconded by
Darcangelo and so ordered August 12, 2009

RESOLUTION NO. 148

AUTHORIZING CITY OF ROME
PERSONNEL TO ATTEND TRAINING.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Lieutenant John Bielby, as well as Kathy Stockbridge, Weed & Seed Coordinator, be and are hereby authorized to attend a one day training seminar entitled "Advancing an Existing Law Enforcement Volunteer Program", hosted by the International Association of Chiefs of Police, Volunteers in Police Service (VIPS) Program, to be held in Portsmouth, New Hampshire on September 2, 2009. VIP volunteers Bruce Melnick and Charles Pelano may also attend this training seminar. All expenses, including accommodations, travel, and registration for attendance at this training seminar, will be in the approximate total amount of \$1,024.00, with all costs to be covered by allocated funding under the Weed & Seed Grant.

Seconded by Councilor Petty

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio

NAYS: None

EXCUSED: Varano

ADOPTED: AUGUST 12, 2009

ORDINANCE NO. 8507-2 TABLED

AUTHORIZING MAYOR OF THE CITY
OF ROME TO ENTER INTO
REHABILITATION AGREEMENT WITH
A BUYER AND APPROVING THE SALE
OF CITY OWNED PARCEL TO BUYER
CONTINGENT ON A REHABILITATION
AGREEMENT WITH REGARD TO
PROPERTY LOCATED AT
117 LAWRENCE STREET,
ROME, NEW YORK.

AUGUST 12, 2009

ORDINANCE NO. 8508

AUTHORIZING MAYOR OF THE CITY
OF ROME TO ENTER INTO
REHABILITATION AGREEMENT WITH
A BUYER AND APPROVING THE SALE
OF CITY OWNED PARCEL TO BUYER
CONTINGENT ON A REHABILITATION
AGREEMENT WITH REGARD TO
PROPERTY LOCATED AT
717 NORTH WASHINGTON STREET,
ROME, NEW YORK.

By Councilor Vescio:

WHEREAS, New York State Real Property Tax Law Section 1166 and Rome Charter Laws, Title A, Section 33(3) allow the City of Rome to sell and convey real property obtained by virtue of a tax foreclosure proceeding, upon approval and confirmation of a five-sevenths (5/7) vote of the Rome Common Council, with or without advertising for bids, and

WHEREAS, a certain city owned parcel of land is in need of rehabilitation and the City desires to sell and convey said real property to buyer, and obtain a written guarantee from the buyer that he will perform and accomplish the necessary

rehabilitation within the agreed upon time frame of approximately six months from the date said rehabilitation agreement is executed, now, therefore,

BE IT ORDAINED, that the Mayor of the City of Rome is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Rome Corporation Counsel and the City of Rome Codes Enforcement Officer, for tax sale property located at 717 North Washington Street, Rome, New York, with Benjamin Salloum, for the rehabilitation of said property located at 717 North Washington Street, Rome, New York, known as Tax Map No. 242.027-0001-081, and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome that it approves and confirms the sale and conveyance of tax sale property located at 717 North Washington Street, Rome, New York, known as Tax Map No. 242.027-0001-081 for consideration of the performance of a Rehabilitation Agreement for said property, and for the total sum of Four Thousand and 00/100 Dollars (\$4,000.00), said conveyance to take place following the contingencies hereinafter set forth, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the execution by the buyer of the Rehabilitation Agreement within thirty (30) days of the adoption of this Ordinance, and

BE IT FURTHER ORDAINED, that subsequent to the execution of the Rehabilitation Agreement, this authorization is further contingent upon the granting of a written certification by the City of Rome Codes Enforcement Officer, stating that he has inspected the property and that the buyer has completed all necessary rehabilitation in the time period required by the agreement, and

BE IT FURTHER ORDAINED, that upon receipt of the written certification from the Codes Enforcement Officer, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the buyer having completed this transaction by rendering payment in full to the City of Rome within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale, and

BE IT FURTHER ORDAINED, that the real property shall at no point in time be sold, transferred, titled or conveyed to any person who was a record owner and/or mortgagor of the property within the five (5) year period immediately preceding the date on which the property was taken by the City of Rome for non-payment of taxes. If such prohibited conveyance shall be made by any party in the succeeding chain of title, then immediately thereon (a) this conveyance shall become null and void to the buyer, his, her or their successors and/or assigns, and (b) the title to the above premises shall revert back to the City of Rome.

Seconded by Councilor Casadei
By Councilor Petty

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No.8508

Seconded by Councilor Sparace

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano

ORDINANCE NO. 8508

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio

NAYS: None

EXCUSED: Varano

ADOPTED: AUGUST 12, 2009

♦

AUGUST 12, 2009

ORDINANCE NO. 8509

AUTHORIZING MAYOR OF THE CITY
OF ROME TO ENTER INTO
REHABILITATION AGREEMENT WITH
A BUYER AND APPROVING THE SALE
OF CITY OWNED PARCEL TO BUYER
CONTINGENT ON A REHABILITATION
AGREEMENT WITH REGARD TO
PROPERTY LOCATED AT 632 WEST
THOMAS STREET, ROME, NEW YORK.

By Councilor Casadei:

WHEREAS, New York State Real Property Tax Law Section 1166 and Rome Charter Laws, Title A, Section 33(3) allow the City of Rome to sell and convey real property obtained by virtue of a tax foreclosure proceeding, upon approval and confirmation of a five-sevenths (5/7) vote of the Rome Common Council, with or without advertising for bids, and

WHEREAS, a certain city owned parcel of land is in need of rehabilitation and the City desires to sell and convey said real property to buyer, and obtain a written guarantee from the buyer that he will perform and accomplish the necessary rehabilitation within the agreed upon time frame of approximately eight months from the date said rehabilitation agreement is executed, now, therefore,

BE IT ORDAINED, that the Mayor of the City of Rome is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Rome Corporation Counsel and the City of Rome Codes Enforcement Officer, for tax sale property located at 632 West Thomas Street, Rome, New York, with Neilan Lawrence,

for the rehabilitation of said property located at 632 West Thomas Street, Rome, New York, known as Tax Map No. 223.018-0003-091, and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome that it approves and confirms the sale and conveyance of tax sale property located at 632 West Thomas Street, Rome, New York, known as Tax Map No. 223.018-0003-091 for consideration of the performance of a Rehabilitation Agreement for said property, and for the total sum of Five Hundred and 00/100 Dollars (\$500.00), said conveyance to take place following the contingencies hereinafter set forth, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the execution by the buyer of the Rehabilitation Agreement within thirty (30) days of the adoption of this Ordinance, and

BE IT FURTHER ORDAINED, that subsequent to the execution of the Rehabilitation Agreement, this authorization is further contingent upon the granting of a written certification by the City of Rome Codes Enforcement Officer, stating that he has inspected the property and that the buyer has completed all necessary rehabilitation in the time period required by the agreement, and

BE IT FURTHER ORDAINED, that upon receipt of the written certification from the Codes Enforcement Officer, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the buyer having completed this transaction by rendering payment in full to the City of Rome within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale, and

BE IT FURTHER ORDAINED, that the real property shall at no point in time be sold, transferred, titled or conveyed to any person who was a record owner and/or mortgagor of the property within the five (5) year period immediately preceding the date on which the property was taken by the City of Rome for non-payment of taxes. If such prohibited conveyance shall be made by any party in the succeeding chain of title, then immediately thereon (a) this conveyance shall become null and void to the buyer, his, her or their successors and/or assigns, and (b) the title to the above premises shall revert back to the City of Rome.

Seconded by Councilor Vescio
By Councilor Darcangelo

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8509

Seconded by Councilor Sparace

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano

ORDINANCE NO. 8509

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: AUGUST 12, 2009

♦

AUGUST 12, 2009

ORDINANCE NO. 8510

AUTHORIZING MAYOR OF THE CITY
OF ROME TO ENTER INTO
REHABILITATION AGREEMENT WITH
A BUYER AND APPROVING THE SALE
OF CITY OWNED PARCEL TO BUYER
CONTINGENT ON A REHABILITATION

AGREEMENT WITH REGARD TO
PROPERTY LOCATED AT 103 NOCK
STREET, ROME, NEW YORK.

By Councilor Sparace:

WHEREAS, New York State Real Property Tax Law Section 1166 and Rome Charter Laws, Title A, Section 33(3) allow the City of Rome to sell and convey real property obtained by virtue of a tax foreclosure proceeding, upon approval and confirmation of a five-sevenths (5/7) vote of the Rome Common Council, with or without advertising for bids, and

WHEREAS, a certain city owned parcel of land is in need of rehabilitation and the City desires to sell and convey said real property to buyer, and obtain a written guarantee from the buyer that he will perform and accomplish the necessary rehabilitation within the agreed upon time frame of approximately one month from the date said rehabilitation agreement is executed, now, therefore,

BE IT ORDAINED, that the Mayor of the City of Rome is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Rome Corporation Counsel and the City of Rome Codes Enforcement Officer, for tax sale property located at 103 Nock Street, Rome, New York, with Nancy Calandra, for the rehabilitation of said property located at 103 Nock Street, Rome, New York, known as Tax Map No. 243.070-0001-016, and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome that it approves and confirms the sale and conveyance of tax sale property located at 103 Nock Street, Rome, New York, known as Tax Map No. 243.070-0001-016 for consideration of the performance of a Rehabilitation Agreement for said property, and for the total sum of Five Hundred and 00/100 Dollars (\$500.00), said conveyance

to take place following the contingencies hereinafter set forth, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the execution by the buyer of the Rehabilitation Agreement within thirty (30) days of the adoption of this Ordinance, and

BE IT FURTHER ORDAINED, that subsequent to the execution of the Rehabilitation Agreement, this authorization is further contingent upon the granting of a written certification by the City of Rome Codes Enforcement Officer, stating that he has inspected the property and that the buyer has completed all necessary rehabilitation in the time period required by the agreement, and

BE IT FURTHER ORDAINED, that upon receipt of the written certification from the Codes Enforcement Officer, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the buyer having completed this transaction by rendering payment in full to the City of Rome within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale, and

BE IT FURTHER ORDAINED, that the real property shall at no point in time be sold, transferred, titled or conveyed to any person who was a record owner and/or mortgagor of the property within the five (5) year period immediately preceding the date on which the property was taken by the City of Rome for non-payment of taxes. If such prohibited conveyance shall be made by any party in the succeeding chain of title, then immediately thereon (a) this conveyance shall become null and void to the buyer, his, her or their successors and/or assigns, and

(b) the title to the above premises shall revert back to the City of Rome.

Seconded by Councilor Petty
By Councilor Casadei

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8510

Seconded by Councilor Vescio

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano

ORDINANCE NO. 8510

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: AUGUST 12, 2009

♦

AUGUST 12, 2009

ORDINANCE NO. 8511

AUTHORIZING MAYOR OF THE CITY
OF ROME TO ENTER INTO
REHABILITATION AGREEMENT WITH
A BUYER AND APPROVING THE SALE
OF CITY OWNED PARCEL TO BUYER
CONTINGENT ON A REHABILITATION
AGREEMENT WITH REGARD TO
PROPERTY LOCATED AT 103
WHITTIER AVENUE,
ROME, NEW YORK.

By Councilor Sparace:

WHEREAS, New York State Real Property Tax Law Section 1166 and Rome Charter Laws, Title A, Section 33(3) allow the City of Rome to sell and convey real property obtained by virtue of a tax foreclosure proceeding, upon approval and

confirmation of a five-sevenths (5/7) vote of the Rome Common Council, with or without advertising for bids, and

WHEREAS, a certain city owned parcel of land is in need of rehabilitation and the City desires to sell and convey said real property to buyer, and obtain a written guarantee from the buyer that he will perform and accomplish the necessary rehabilitation within the agreed upon time frame of approximately six months from the date said rehabilitation agreement is executed, now, therefore,

BE IT ORDAINED, that the Mayor of the City of Rome is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Rome Corporation Counsel and the City of Rome Codes Enforcement Officer, for tax sale property located at 103 Whittier Avenue, Rome, New York, with Jerry Howard, for the rehabilitation of said property located at 103 Whittier Avenue, Rome, New York, known as Tax Map No. 224.018-0001-012, and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome that it approves and confirms the sale and conveyance of tax sale property located at 103 Whittier Avenue, Rome, New York, known as Tax Map No. 224.018-0001-012 for consideration of the performance of a Rehabilitation Agreement for said property, and for the total sum of Sixteen Thousand Five Hundred and 00/100 Dollars (\$16,500.00), said conveyance to take place following the contingencies hereinafter set forth, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the execution by the buyer of the Rehabilitation Agreement within thirty (30) days of the adoption of this Ordinance, and

BE IT FURTHER ORDAINED, that subsequent to the execution of the Rehabilitation Agreement, this authorization

is further contingent upon the granting of a written certification by the City of Rome Codes Enforcement Officer, stating that he has inspected the property and that the buyer has completed all necessary rehabilitation in the time period required by the agreement, and

BE IT FURTHER ORDAINED, that upon receipt of the written certification from the Codes Enforcement Officer, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the buyer having completed this transaction by rendering payment in full to the City of Rome within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale, and

BE IT FURTHER ORDAINED, that the real property shall at no point in time be sold, transferred, titled or conveyed to any person who was a record owner and/or mortgagor of the property within the five (5) year period immediately preceding the date on which the property was taken by the City of Rome for non-payment of taxes. If such prohibited conveyance shall be made by any party in the succeeding chain of title, then immediately thereon (a) this conveyance shall become null and void to the buyer, his, her or their successors and/or assigns, and (b) the title to the above premises shall revert back to the City of Rome.

Seconded by Councilor Petty
By Councilor Casadei

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No.8511

Seconded by Councilor Vescio

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano

ORDINANCE NO. 8511

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: AUGUST 12, 2009

♦

AUGUST 12, 2009

ORDINANCE NO. 8512

AUTHORIZING MAYOR OF THE CITY
OF ROME TO ENTER INTO
REHABILITATION AGREEMENT WITH
A BUYER AND APPROVING THE SALE
OF CITY OWNED PARCEL TO BUYER
CONTINGENT ON A REHABILITATION
AGREEMENT WITH REGARD TO
PROPERTY LOCATED AT 117 WEST
NORTH STREET, ROME, NEW YORK.

By Councilor Petty:

WHEREAS, New York State Real Property Tax Law Section 1166 and Rome Charter Laws, Title A, Section 33(3) allow the City of Rome to sell and convey real property obtained by virtue of a tax foreclosure proceeding, upon approval and confirmation of a five-sevenths (5/7) vote of the Rome Common Council, with or without advertising for bids, and

WHEREAS, a certain city owned parcel of land is in need of rehabilitation and the City desires to sell and convey said real property to buyer, and obtain a written guarantee from the buyer that he will perform and accomplish the necessary rehabilitation within the agreed upon time frame of approximately six months from the date said rehabilitation agreement is executed, now, therefore,

BE IT ORDAINED, that the Mayor of the City of Rome is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Rome Corporation Counsel and the City of Rome Codes Enforcement Officer, for tax sale property located at 117 West North Street, Rome, New York, with Arthur and Jeanette Reid, for the rehabilitation of said property located at 117 West North Street, Rome, New York, known as Tax Map No. 242.065-0001-062, and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome that it approves and confirms the sale and conveyance of tax sale property located at 117 West North Street, Rome, New York, known as Tax Map No. 242.065-0001-062 for consideration of the performance of a Rehabilitation Agreement for said property, and for the total sum of Six Thousand One Hundred and 00/100 Dollars (\$6,100.00), said conveyance to take place following the contingencies hereinafter set forth, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the execution by the buyer of the Rehabilitation Agreement within thirty (30) days of the adoption of this Ordinance, and

BE IT FURTHER ORDAINED, that subsequent to the execution of the Rehabilitation Agreement, this authorization is further contingent upon the granting of a written certification by the City of Rome Codes Enforcement Officer, stating that he has inspected the property and that the buyer has completed all necessary rehabilitation in the time period required by the agreement, and

BE IT FURTHER ORDAINED, that upon receipt of the written certification from the Codes Enforcement Officer, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the buyer having completed this transaction by rendering payment in full to the City of Rome within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale, and

BE IT FURTHER ORDAINED, that the real property shall at no point in time be sold, transferred, titled or conveyed to any person who was a record owner and/or mortgagor of the property within the five (5) year period immediately preceding the date on which the property was taken by the City of Rome for non-payment of taxes. If such prohibited conveyance shall be made by any party in the succeeding chain of title, then immediately thereon (a) this conveyance shall become null and void to the buyer, his, her or their successors and/or assigns, and (b) the title to the above premises shall revert back to the City of Rome.

Seconded by Councilor Smith
By Councilor Casadei

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No.8512

Seconded by Councilor Vescio

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano

ORDINANCE NO. 8512

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: AUGUST 12, 2009

♦

AUGUST 12, 2009

ORDINANCE NO. 8513

AUTHORIZING THE ISSUANCE OF A
BLANKET PEDDLERS'
PERMIT, PURSUANT TO CHAPTER 18,
ARTICLE VI OF THE
CITY OF ROME CODE OF
ORDINANCES, FOR PEDDLERS
PARTICIPATING IN THE YMCA OF
THE GREATER TRI VALLEY'S 3 ON 3
OUTDOOR BASKETBALL
TOURNAMENT TO BE HELD ON
AUGUST 21-22, 2009.

By Councilor Smith:

WHEREAS, Rome City Clerk Louise Glasso has requested that a blanket fee for peddlers participating in the YMCA of the Greater Tri Valley's 3 On 3 Outdoor Basketball Tournament to be held on August 21-22, 2009, be issued to the YMCA for the appropriate fee depending on the number of peddlers to be present at said event, and

WHEREAS, the Common Council has determined that it is in the best interests of the City of Rome to allow this one-time blanket fee for a peddlers permit on August 21-22, 2009, during the YMCA of the Greater Tri Valley's 3 On 3 Outdoor Basketball Tournament for those vendors participating under the auspices of the YMCA, now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome, New York, that for those vendors and peddlers participating under the auspices of the YMCA of the Greater Tri Valley's 3 On 3 Outdoor Basketball Tournament and conducting business in the City of Rome on August 21-22, 2009, during said Basketball Tournament, and not already possessing a valid transient retail business permit, the permit fee for the August 21-22, 2009 YMCA's 3 On 3 Outdoor Basketball Tournament, pursuant to Rome Code of

Ordinances Article VI, shall be a one-time blanket fee of \$50.00 for less than 20 peddlers, the same to be issued to the YMCA, and

BE IT FURTHER ORDAINED, that said one-time blanket permit shall be valid only for August 21-22, 2009, and that the said permit shall be contingent upon the filing of a completed application for the blanket peddlers' permit by the YMCA of the Greater Tri Valley with the Rome City Clerk.

Seconded by Councilor Petty

By Councilor Vescio

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8513

Seconded by Councilor Casadei

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano

ORDINANCE NO. 8513
AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: AUGUST 12, 2009

♦

AUGUST 12, 2009

ORDINANCE NO. 8514

AUTHORIZING THE CLOSING OF A
PORTION OF WEST DOMINICK
STREET FOR A 3-ON-3 OUTDOOR
BASKETBALL TOURNAMENT TO BE
HELD ON AUGUST 21-22, 2009.

By Councilor Petty

WHEREAS, Third Ward Councilor Angela Petty has requested the closing of a portion of West Dominick Street to accommodate a 3-on-3 Outdoor Basketball Tournament to be held on August 21 – 22, 2009, said event to be hosted by the YMCA of the Greater Tri-Valley, now, therefore,

BE IT ORDAINED, that the Common Council of the City of Rome, New York does hereby authorize the closing of a portion of West Dominick Street at the 200 block from Rome City Hall lawn to the end of Rome Savings Bank where it intersects North James Street, on August 21, 2009 at 6:00 p.m. through August 22, 2009 at 6:00 p.m. to allow for the 3-on-3 Basketball Tournament, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the above organization providing the City of Rome with a certificate of insurance in the amount of \$2,000,000 per occurrence for bodily injury and death/property damage and a minimum general aggregate coverage of \$4,000,000, naming the City of Rome as an additional insured, and indemnifying and holding the City of Rome harmless from any and all liability arising out of the closing of a portion of West Dominick Street as outlined hereinabove, and

BE IT FURTHER ORDAINED, that the above authorization shall take effect upon placement of the appropriate barriers at each end of the affected area.

Seconded by Councilor Smith
By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No.8514

Seconded by Councilor Vescio

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio

NAYS: None
EXCUSED: Varano

ORDINANCE NO. 8514
AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano
ADOPTED: AUGUST 12, 2009

♦

JULY 8, 2009

ORDINANCE NO. 8500 DIED

**AUTHORIZING THE CLOSING OF A
PORTION OF WEST DOMINICK
STREET ON AUGUST 22, 2009.**

By Councilor Petty:

WHEREAS, the Historical Black Ministerial Alliance, Inc., through Mayor James F. Brown and Common Council President John Mazzaferro, have requested the closing of a portion of West Dominick Street, between the Bank of America and North James Street on Saturday, August 22, 2009, during the hours of 8:00 a.m. to 7:00 p.m., in conjunction with the "Voices for Christ City Wide Crusade", pursuant to Exhibit A attached hereto dated June 17, 2009, now, therefore,

BE IT ORDAINED, that the Common Council of the City of Rome, New York does hereby authorize the closing of a portion of West Dominick Street on Saturday, August 22, 2009, during the hours of 8:00 a.m. to 7:00 p.m., in conjunction with the "Voices for Christ City Wide Crusade", and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the above organization providing the City of Rome with a certificate of insurance in the amount of \$2,000,000.00 per occurrence for bodily injury or death, and \$2,000,000.00 for property damage, or blanket coverage in the amount of \$4,000,000.00, naming the City of Rome as an additional insured and indemnifying and holding the City of Rome harmless from any and all liability arising out of the closing of a portion of West Dominick Street as outlined hereinabove, and

BE IT FURTHER ORDAINED, that the above authorization shall take effect upon placement of the appropriate barriers at each end of the affected area.

Seconded by Councilor Vescio
By Councilor Smith

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8500

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Darcangelo, Vescio
NAYS: None
EXCUSED: Casadei

Motion to TABLE by Petty, seconded by Darcangelo and so ordered July 8, 2009
DIED ON THE TABLE: AUGUST 12, 2009

♦

Motion to adjourn by Petty, seconded by Smith and so ordered August 12, 2009

♦

♦

♦

**COMMON COUNCIL MEETING
REGULAR SESSION
PROCEEDINGS**

**AUGUST 26, 2009
7:30PM**

**PRESENT: Sparace, Varano, Petty, Smith, Darcangelo, Vescio
EXCUSED: Casadei**

PLEDGE OF ALLEGIANCE

INVOCATION by President Mazzaferro

GENERAL PUBLIC HEARING

Frank Anderson – 1106 Cedarbrook Dr. – The school district has done major renovations to Strough School and for the safety of the students legislation has been requested relative to parking in the 5th ward.

Consideration must be give to the residents in the area and noting that Strough is an election polling site. Asking members of the council to Table Ord. 8518 & 8519

Roseanne Loparco – 6433 State Rt.233, Rome – Town of Whitestown residents are requesting council approval to extend city water to approximately 27 residents and 1 church. Town of Whitestown is willing to sign an agreement to compensate Rome for expenses.

Mark Syfert – 422 Embargo St. – Bidding process for the Housing Vision Project was done behind closed doors. With government money is involved, I am questioning the legalities.

Joe Sallustio – 1212 N. James St. – Tax party people never attend county or city meetings. They are given a lot of press coverage but they offer no suggestions. Asking Councilor Vescio to propose legislation limiting truck traffic on James St. Frank Sanzone's comments on the gym located at Griffiss Park are without research. If Whitestown residents want city water they should annex themselves into the city and share the taxbase

Don Jones – 712 W. Liberty St. – Camelot Village paid every dollar incurred for the water project, it was not given to the village without expense.

Andrew Savoie – 404 N. Madison St. – Last council meeting, Martin-Grande was asked about the advertising process used for rehab agreements with the city, she has yet to respond.

The city needs to investigate Mr. Syfert's concerns with the bid process. Truck study needs to be done in the city. Legislation is needed to limit truck traffic and a weight limit must be established. Owners of the former Rome Club are ignoring the city's code pertaining to signage.

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Petty, seconded by Sparace that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

The following businesses have notified the City Clerk's Office of their intention to renew liquor licenses:

Ft. Stanwix Chapter 20 DAV
(Received & filed)

407 E. Dominick St.

AUGUST 26, 2009

RESOLUTION NO. 149

AUTHORIZING CITY OF ROME POLICE
SERGEANT TO ATTEND TRAINING.

By Councilor Smith

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Sergeant Michael Yoxall, be and is hereby authorized to attend a three day training course entitled "Breath Analysis Instructor Course", sponsored by the State of New York, Division of Criminal Justice Services, to be held in Oswego, New York on October 27-29, 2009. There is no cost to the City of Rome for Sergeant Yoxall to attend this training, with the exception of lunch reimbursement for three days.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Darcangelo, Vescio
NAYS: None
EXCUSED: Casadei
ADOPTED: AUGUST 26, 2009

♦

AUGUST 26, 2009

RESOLUTION NO. 150

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND TRAINING SEMINAR.

By Councilor Vescio

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Sergeant Joel Guy and Patrolman Donald D'Auito, be and are hereby authorized to attend a two day training seminar entitled "Property/Evidence Room Management", sponsored by the State of New York, Division of

Criminal Justice Services, to be held in Utica, New York on October 27-28, 2009. There is no cost to the City of Rome for attendance at this seminar, with the exception of lunch reimbursement for two days.

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith,
Darcangelo, Vescio
NAYS: None
EXCUSED: Casadei
ADOPTED: AUGUST 26, 2009

♦

AUGUST 26, 2009

RESOLUTION NO. 151

AUTHORIZING CITY OF ROME
DEPARTMENT OF PUBLIC WORKS
PERSONNEL TO ATTEND
TRAINING SESSION.

By Councilor Varano

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Department of Public Works personnel, namely, David N. Gardinier and Thomas Andrews, Operators at the City of Rome Water Filtration Plant, be and are hereby authorized to attend a training session entitled "Confined Space Course", sponsored by the New York Rural Water Association, to be held in Vernon, New York on September 30, 2009. The cost to the City of Rome for attendance at this training will be \$75.00 per person, plus lunch reimbursement.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Darcangelo, Vescio
NAYS: None
EXCUSED: Casadei
ADOPTED: AUGUST 26, 2009

♦

AUGUST 26, 2009

By Councilor Sparace:

RESOLUTION NO. 152

AUTHORIZING CITY OF ROME
DEPARTMENT OF PUBLIC WORKS
PERSONNEL TO ATTEND WATER
SUPPLY SYMPOSIUM.

By Councilor Smith

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Department of Public Works personnel, namely, Greg Keller, Chief Operator, Robert Samuels, Water Supply Maintenance Supervisor, and Michael Barbato, Operator, employees of the City of Rome Water Filtration Plant, be and are hereby authorized to attend the Edwin C. Tafft, Jr. Water Supply Symposium, sponsored by the New York Section of the American Water Works Association, to be held in Verona, New York on October 1, 2009. The cost to the City of Rome for attendance at this training will be \$135.00 per person, plus lunch reimbursement.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,

Darcangelo, Vescio

NAYS: None

EXCUSED: Casadei

ADOPTED: AUGUST 26, 2009

♦

AUGUST 26, 2009

RESOLUTION NO. 153A

AUTHORIZING THE CITY CLERK TO
ADVERTISE FOR A PUBLIC HEARING
CONCERNING THE DISCONTINUANCE
OF A PORTION OF A PAPER ALLEY
LOCATED BETWEEN GANSEVOORT
AVENUE AND NOCK STREET,
ROME, NEW YORK.

WHEREAS, John M. Sparace, 1st Ward Councilor for the City of Rome has requested the public sale of a portion of a paper alley located behind between Gansevoort Avenue and Nock Street, Rome, New York, per the map and legal description attached hereto and by this reference made a part hereof, and

WHEREAS, no plans presently exist or are contemplated for the future of said property in the City of Rome, and

WHEREAS, Section 118, Title A, of the Charter Laws of the City of Rome requires that a public hearing be held prior to such proposed discontinuance, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the City Clerk be and is hereby authorized to advertise, pursuant to the manner provided in Section 118, Title A, of the Rome City Charter, notice of a public hearing to be held concerning the discontinuance of a portion of a paper alley located behind Gansevoort Avenue and Nock Street, per the map and description attached hereto and made a part hereof, and

BE IT FURTHER RESOLVED, that said public hearing is to be held in the Common Council Chambers, 2nd floor, City Hall, on the 9th day of September, 2009, at 7:25 p.m., at which time and place all interested parties will be heard thereon.

Seconded by Councilor Petty

Motion to Amend to insert date & time by Sparace, seconded by Petty and so ordered August 26, 2009

AYES: Sparace, Varano, Petty, Smith,

Darcangelo, Vescio

NAYS: None

EXCUSED: Casadei

ADOPTED: AUGUST 26, 2009

HOLLAND AVENUE
Southwesterly portion to the rear of
205; 209-211; 213 Gansevoort Avenue

Commencing at a point intersecting the southerly margin of Seneca Street and the easterly margin of Holland Avenue; thence S. 41 degrees 35' 10" W. a distance of 285.4 feet \pm to the place of beginning; thence along the following courses and distances:

S. 41 degrees 35' 10" W. 180.00 feet
N. 48 degrees 24' 50" W. 16.50 feet \pm
N. 41 degrees 35' 10" E. 180.00 feet \pm
S. 48 degrees 24' 50" E. 16.50 feet \pm

to the place of beginning, containing 0.07 acres of land, more or less.

The premises hereby conveyed are subject to all conditions, covenants, restrictions, easements and rights of way of record.

The person or persons requesting said sale are responsible for any and/or more accurate descriptions or surveys with a copy to be furnished to the City of Rome Engineering Department.

EXHIBIT "A"

♦
AUGUST 26, 2009

RESOLUTION NO. 154

AUTHORIZING CITY OF ROME DEPARTMENT OF PUBLIC WORKS PERSONNEL TO ATTEND WORKSHOP.

By Councilor Vescio

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Department of Public Works personnel, namely, William Tallarino, Street Maintenance Supervisor, Ben Watts, Working Foreman, and Fred Williamson, M.E.O., be and are hereby authorized to attend a workshop entitled "Storms over the Urban Forest", sponsored in part by the New York State

Department of Environmental Conservation, to be held in Syracuse, New York on September 23, 2009. The cost to the City of Rome for attendance at this training will be \$35.00 per person, plus lunch and toll reimbursement.

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith,
Darcangelo, Vescio

NAYS: None

EXCUSED: Casadei

ADOPTED: AUGUST 26, 2009

♦

AUGUST 26, 2009

ORDINANCE NO. 8515

AUTHORIZING THE MAYOR OF THE CITY OF ROME TO RENEW AN AGREEMENT FOR THE LEASE OF CITY OWNED PROPERTY LOCATED AT 1030 EAST DOMINICK STREET, ROME, NEW YORK.

By Councilor Sparace:

WHEREAS, the City of Rome owns a piece of real property located at 1030 East Dominick Street, Rome, New York, which it acquired via tax foreclosure, and

WHEREAS, pursuant to Ordinance No. 8264 adopted April 25, 2007, the City of Rome and Mike Burth, Jr. entered into a lease agreement for the lease of said city owned property for a one year, with the option of two (2) additional one (1) year extensions, with each one (1) year extension subject to Common Council and Board of Estimate and Contract approval, and the aforesaid lease agreement was further authorized pursuant to Board of Estimate and Contract Resolution No. 109 adopted April 26, 2007, and

WHEREAS, pursuant to Ordinance No. 8439 adopted October 8, 2008, the City of Rome and Mike Burth, Jr. entered into the first year of the authorized extensions pursuant to the

aforementioned lease agreement for the lease of said city owned property, with further approval pursuant to Board of Estimate and Contract Resolution No. 263 adopted October 9, 2008, now, therefore,

BE IT ORDAINED, that the lease agreement between the City of Rome and Mike Burth, Jr., for the lease of City owned property located at 1030 East Dominick Street, Rome, New York, be and is hereby extended for a one year period, retroactive to June 26, 2009, with the same terms and conditions as previously agreed to by the parties, pending adoption by the Board of Estimate and Contract of a lease agreement for said property.

Seconded by Councilor Petty
By Councilor Vescio

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of
Ordinance No. 8515

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith,
Darcangelo, Vescio
NAYS: None
EXCUSED: Casadei

ORDINANCE NO. 8515

AYES: Sparace, Varano, Petty, Smith,
Darcangelo, Vescio
NAYS: None
EXCUSED: Casadei
ADOPTED: AUGUST 26, 2009

♦
AUGUST 26, 2009

ORDINANCE NO. 8516 TABLED

AUTHORIZING THE
DISCONTINUANCE OF A PORTION OF
A PAPER ALLEY LOCATED BETWEEN
GANSEVOORT AVENUE AND
NOCK STREET, ROME, NEW YORK.

♦
AUGUST 26, 2009

ORDINANCE NO. 8517 TABLED

AUTHORIZING THE SALE OF A
PORTION OF A PAPER ALLEY
LOCATED BETWEEN GANSEVOORT
AVENUE AND NOCK STREET,
ROME, NEW YORK.

♦
AUGUST 26, 2009

ORDINANCE NO. 8518 TABLED

AUTHORIZING THE PLACEMENT OF
NO PARKING SIGNS ON BOTH
SIDES OF A PORTION OF LEE STREET,
ADJACENT TO STROUGH SCHOOL

♦
AUGUST 26, 2009

ORDINANCE NO. 8519 TABLED

AMENDING ORDINANCE NO. 3235
ADOPTED APRIL 20, 1966
RELATIVE TO PARKING ON LAUREL
STREET BETWEEN
LEE STREET AND UNION STREET.

♦
AUGUST 12, 2009

ORDINANCE NO. 8507 - 2

AUTHORIZING MAYOR OF THE CITY OF
ROME TO ENTER INTO REHABILITATION
AGREEMENT WITH A BUYER AND
APPROVING THE SALE OF CITY OWNED
PARCEL TO BUYER CONTINGENT ON A
REHABILITATION AGREEMENT WITH
REGARD TO PROPERTY LOCATED AT 117
LAWRENCE STREET,
ROME, NEW YORK.

By Councilor Petty:

WHEREAS, New York State Real Property Tax Law Section 1166 and Rome Charter Laws, Title A, Section 33(3) allow the City of Rome to sell and convey real property obtained by virtue of a tax foreclosure proceeding, upon approval and confirmation of a five-sevenths (5/7) vote of the Rome Common Council, with or without advertising for bids, and

WHEREAS, a certain city owned parcel of land is in need of rehabilitation and the City desires to sell and convey said real property to buyer, and obtain a written guarantee from the buyer that he will perform and accomplish the necessary rehabilitation within the agreed upon time frame of approximately two months from the date said rehabilitation agreement is executed, now, therefore,

BE IT ORDAINED, that the Mayor of the City of Rome is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Rome Corporation Counsel and the City of Rome Codes Enforcement Officer, for tax sale property located at 117 Lawrence Street, Rome, New York, with Vincent Esposito, for the rehabilitation of said property located at 117 Lawrence Street, Rome, New York, known as Tax Map No. 242.066-0002-071, and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome that it approves and confirms the sale and conveyance of tax sale property located at 117 Lawrence Street, Rome, New York, known as Tax Map No. 242.066-0002-071 for consideration of the performance of a Rehabilitation Agreement for said property, and for the total sum of Two Hundred and 00/100 Dollars (\$200.00), said conveyance to take place following the contingencies hereinafter set forth, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the execution by the buyer of the Rehabilitation

Agreement within thirty (30) days of the adoption of this Ordinance, and

BE IT FURTHER ORDAINED, that subsequent to the execution of the Rehabilitation Agreement, this authorization is further contingent upon the granting of a written certification by the City of Rome Codes Enforcement Officer, stating that he has inspected the property and that the buyer has completed all necessary rehabilitation in the time period required by the agreement, and

BE IT FURTHER ORDAINED, that upon receipt of the written certification from the Codes Enforcement Officer, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the buyer having completed this transaction by rendering payment in full to the City of Rome within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale, and

BE IT FURTHER ORDAINED, that the real property shall at no point in time be sold, transferred, titled or conveyed to any person who was a record owner and/or mortgagor of the property within the five (5) year period immediately preceding the date on which the property was taken by the City of Rome for non-payment of taxes. If such prohibited conveyance shall be made by any party in the succeeding chain of title, then immediately thereon (a) this conveyance shall become null and void to the buyer, his, her or their successors and/or assigns, and (b) the title to the above premises shall revert back to the City of Rome.

Seconded by Councilor Smith
By Councilor Vescio

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. **8507 - 2**

Seconded by Councilor Casadei

AYES: Sparace, Petty, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Varano

ORDINANCE NO. **8507 – 2**

AYES: Sparace, Varano, Petty, Smith,
Darcangelo, Vescio
NAYS: None
EXCUSED: Casadei
ADOPTED: AUGUST 26, 2009

Motion to TABLE by Petty, seconded by
Darcangelo and so ordered August 12, 2009

Motion to Remove from TABLE by Vescio,
seconded by Darcangelo and so ordered August
26, 2009

Motion to adjourn by Petty, seconded by Sparace and so ordered August 26, 2009.

PROCEEDINGS

PUBLIC HEARING

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the City Clerk be and is hereby authorized to advertise, pursuant to the manner provided in Section 118, Title A, of the Rome City Charter, notice of a public hearing to be held concerning the discontinuance of a portion of a paper alley located behind Gansevoort Avenue and Nock Street, per the description attached hereto and made a part hereof, and

BE IT FURTHER RESOLVED, that said public hearing is to be held in the Common Council Chambers, 2nd floor, City Hall, on the 9th day of September, 2009, at 7:25 p.m., at which time and place all interested parties will be heard thereon.

Louise S. Glasso, CMC
City Clerk

Rome Sentinel Co.

To Appear: August 31, 2009

Dated: August 27, 2009

One (1) time

No Speakers

HOLLAND AVENUE Southwesterly portion to the rear of
205; 209-211; 213 Gansevoort Avenue

Commencing at a point intersecting the southerly margin of Seneca Street and the easterly margin of Holland Avenue; thence S. 41 degrees 35' 10" W. a distance of 285.4 feet ± to the place of beginning; thence along the following courses and distances:

S. 41 degrees 35' 10" W. 180.00 feet ±

N. 48 degrees 24' 50" W. 16.50 feet ±

N. 41 degrees 35' 10" E. 180.00 feet ±

S. 48 degrees 24' 50" E. 16.50 feet ±

to the place of beginning, containing 0.07 acres of land, more or less.

The premises hereby conveyed are subject to all conditions, covenants, restrictions, easements and rights of way of record.

EXHIBIT "A"

SEPTEMBER 9, 2009
7:30PM

Tallarino – Safety is an issue at that intersection and studies are being done to resolve the problem

REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

Darcangelo – Friday night RFA had its 1st football game. Parking on both sides of Jervis is a safety issue. Is it possible to post one side of the street no parking?

♦

♦

♦

SEPTEMBER 9, 2009

SEPTEMBER 9, 2009

RESOLUTION NO. 155**RESOLUTION NO. 156**

ACCEPTING DONATION PRESENTED
TO THE CITY OF
ROME POLICE DEPARTMENT.

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND TRAINING COURSE.

By Councilor Petty:

By Councilor Casadei:

WHEREAS, the American-Ukrainian Veterans and Men's Club, Inc. has contacted the City of Rome Police Department with the offer of a monetary donation for the purchase of a new canine to be used by the Police Department, and

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Patrolman Robert Pinti be and is hereby authorized to attend a five-day training course entitled "Computer Forensics and Forfeiture", sponsored by the United States Department of Justice and the United States Attorney General's Office, to be held in Columbia, South Carolina, on September 14-18, 2009. The Department of Justice will pay for all expenses incurred, including transportation, hotel and meals. The Rome Police Department may have to pay expenses upfront. At this time, the cost if not known until Patrolman Pinti is accepted by the Department of Justice.

WHEREAS, the Rome City Charter states that the Common Council must authorize and accept donations made to the City of Rome on behalf of the City of Rome, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that a donation of \$800.00 from the American-Ukrainian Veterans and Men's Club, Inc. shall be gratefully accepted by the City of Rome, and

Seconded by Councilor Vescio

BE IT FURTHER RESOLVED, that the Common Council hereby expresses its appreciation to the American-Ukrainian Veterans and Men's Club, Inc. for the donation of \$800.00 for the purchase of a new canine to be used by the Rome Police Department.

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: SEPTEMBER 9, 2009

Seconded by Councilor Vescio

♦

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: SEPTEMBER 9, 2009

SEPTEMBER 9, 2009

RESOLUTION NO. 157

AUTHORIZING CITY OF ROME FIRE
DEPARTMENT PERSONNEL
TO ATTEND INSTRUCTOR COURSE.

♦

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Fire Department personnel, namely, Captain David Gratch and Lieutenants David Zakala, Patrick Hall and Gary Millington, be and are hereby authorized to attend a New York State OFPC Aerial Operations Instructor Course, to be held in Utica, New York on November 14-15, 2009. There will be no cost to the City of Rome for attendance at the aforesaid course of instruction.

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: SEPTEMBER 9, 2009

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SEPTEMBER 9, 2009

RESOLUTION NO. 158

**AUTHORIZING CITY OF ROME FIRE
DEPARTMENT PERSONNEL
TO ATTEND INSTRUCTOR COURSE.**

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Fire Department personnel, namely, Captains David Gratch and William Matwijec, as well as Lieutenants David Zakala and Gary Millington, be and are hereby authorized to attend a OFPC Instructor Workshop, to be held in Montour Falls, New York on October 12-16, 2009. The cost for attendance will include a registration fee of \$25.00 per person and \$191.00 per person for meals and lodging, for a total expenditure of \$864.00.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: SEPTEMBER 9, 2009

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SEPTEMBER 9, 2009

RESOLUTION NO. 159A

**AUTHORIZING CITY OF ROME
WASTEWATER TREATMENT
PERSONNEL TO ATTEND COMPUTER
TRAINING WORKSHOP.**

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Wastewater Treatment personnel, namely, Rick Kenealy, Wastewater Treatment Operator, and Phil Impicciatore, Electrician, be and are hereby authorized to attend a three-day Computer Training Workshop relative to the Wastewater Treatment Plant's Allmax Operations and Maintenance Programs, to be held at Allmax Software in Kenton, Ohio on October 19 - 21, 2009. This training will assist with the modernization and streamlining of plant operations and maintenance. The registration cost for both employees to attend will be \$700.00 per day for three days, for a total expenditure of \$2,100.00, plus reimbursement for the cost of tolls, gasoline, accommodations and meals.

Seconded by Councilor Petty

Motion to Amend date by Petty, seconded by Sparace and so ordered September 9, 2009

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: SEPTEMBER 9, 2009

♦

SEPTEMBER 9, 2009

RESOLUTION NO. 160A

AUTHORIZING CITY OF ROME
ASSISTANT CORPORATION COUNSEL
TO ATTEND NYCOM WORKSHOP.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Gerard F. Feeney, Assistant Corporation Counsel for the City of Rome, New York, be and is hereby authorized to attend a NYCOM workshop regarding the Federal Fair Labor Standards Act's Overtime Provisions, as well as Sections 207-a and 207-c of the General Municipal Law, said Workshop to be held in Cooperstown, New York on October 1, 2009. The cost to the City of Rome for attendance at this training will be \$100.00 for registration, plus mileage, meal and toll reimbursement.

Seconded by Councilor Petty

Motion to Amend to change cost by Smith, seconded by Petty and so ordered September 9, 2009

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: SEPTEMBER 9, 2009

♦

SEPTEMBER 9, 2009

ORDINANCE NO. 8520

AUTHORIZING THE PURCHASE OF
STREETS AT PATRIOT MEADOWS BY
THE CITY OF ROME, NEW YORK.

By Councilor Sparace:

WHEREAS, Mayor James F. Brown and First Ward Councilor John Sparace have indicated the need for the City to acquire the streets at Patriot Meadows as being in furtherance of municipal purposes, and

WHEREAS, as a result of negotiations between the City of Rome and CV Marketing & Commercial, LLC, the City of Rome, New York shall purchase the private streets and rights of way located within and known as Tax Map No. 243-006-0002-001.060, together with all the structures and/or improvements thereon and all the lighting, plumbing and electrical work, if any, belonging to or used in the operation of property owned by CV Marketing and Commercial, LLC, now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome, New York, that it does hereby authorize the Mayor of the City of Rome to enter into a purchase agreement for the private streets and rights of way now owned by CV Marketing & Commercial, LLC, known as Patriot Meadows, being more particularly described as Tax Map number 243.006-0002-001.060, situate in the City of Rome, County of Oneida and State of New York, and as depicted on the attached map, and,

BE IT FURTHER ORDAINED, that the Mayor is hereby authorized to execute all documents necessary to complete the purchase of the aforementioned private streets and rights of way, and

BE IT FURTHER ORDAINED, that the expenditure for the purchase of the aforesaid private streets and rights of way shall be in the amount of Thirty-five Thousand and 00/100 dollars (\$35,000.00), and

BE IT FURTHER ORDAINED, that this transfer of property is further subject to

approval by the Rome Board of Estimate and Contract, and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately.

Seconded by Councilor Petty
By Councilor Darcangelo

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No.8520

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8520

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: SEPTEMBER 9, 2009

♦

JULY 22, 2009

RESOLUTION NO. 138 A DIED

AUTHORIZING THE CITY CLERK TO
ADVERTISE NOTICE OF A PUBLIC
HEARING REGARDING AN
AMENDMENT TO ROME CODE OF
ORDINANCES CHAPTER 80, ZONING
CODE, SECTION 80-2.2, REGARDING
ACCESSORY STRUCTURES.

By Councilor Vescio:

WHEREAS, pursuant to the City of Rome Code of Ordinances ("Rome Code"), §80-24.1(a), by Ordinance No. 8506, the Common Council is considering an amendment to the Zoning Code of the City of Rome, which will amend the definition of Accessory Structures, hereinafter said

proposed amendment is referred to as "Proposed Zoning Amendment", and

WHEREAS, pursuant to the Rome Code, §80-24.4(a), prior to any amendment to the Zoning Code being approved, a public hearing must be held at the next regularly scheduled meeting of the Common Council after the introduction of the proposed amendment, which will permit all interested members of the public to comment on same, and

WHEREAS, pursuant to the Rome Code, notice of the public hearing must be published in the official newspaper of the City of Rome, at least seven days prior to the date the public hearing is to be held, and said public notice shall include the date, time and place of said public hearing, as well as a description of the substance of the proposed amendment, now, therefore,

BE IT RESOLVED, that the Common Council of the City of Rome, New York does hereby authorize the City Clerk to advertise notice of a public hearing pertaining to the amendment to the Zoning Code of the City of Rome, New York, as proposed by Ordinance No. 8506, which said amendment will amend the definition of Accessory Structures, and

BE IT FURTHER RESOLVED, that the public notice published by the City Clerk be published in the official newspaper of the City of Rome to permit all interested persons to be heard, and that said notice set forth that the hearing will take place before the next regularly scheduled meeting of the Common Council to be held on the ____ day of _____ 2009, at _____ p.m., in the City of Rome Common Council Chambers, 2nd floor, City Hall, Rome, New York, as well as a description of the amendment to be discussed, at which time and place all interested persons will be heard thereon.

Seconded by Councilor Darcangelo

Motion to Amend to insert Ord. No. by
 Petty, seconded by Sparace and so ordered
 July 22, 2009
 Motion to TABLE by Darcangelo, seconded
 by Vescio and so ordered July 2, 2009
 DIED ON THE TABLE: SEPTEMBER 9,
 2009

♦

JULY 22, 2009

ORDINANCE NO. 8506 DIED

AN ORDINANCE AMENDING ROME
CODE OF ORDINANCES, CHAPTER 80,
ZONING CODE, ARTICLE II,
SECTION 80-2.2 REGARDING
ACCESSORY STRUCTURES.

By Councilor Vescio:

WHEREAS, Sixth Ward Councilor Anthony Darcangelo and Seventh Ward Councilor Philip Vescio, Jr., are of the opinion that the City's best interests would be furthered by amending City of Rome Code of Ordinances, Chapter 80, Zoning Code, Article II, Section 80-2.2, through additional language designed to define Accessory Buildings, and

WHEREAS, the proposed amendment was submitted to the City of Rome Planning Board for review and comment, and

WHEREAS, the City of Rome has completed the necessary New York State Environmental Quality Review, and

WHEREAS, a public hearing was held on or about the ____ day of _____, 2009, now, therefore,

BE IT ORDAINED, by the City of Rome Common Council that Rome Code of Ordinances be and is hereby amended as follows:

CHAPTER 80 ZONING CODE

ARTICLE II. TERMINOLOGY
SECTION 80-2.2. Terms defined.

Abandonment: An intent to abandon or to relinquish which may be demonstrated by some overt act, or some failure to act which carries the implication that the owner neither claims nor retains any interest in the subject matter of the abandonment.

Access: A way or means of approach to provide vehicular or pedestrian physical entrance to a property.

Accessory apartment: A dwelling unit that has been added on to, or created within, a single-family house, which is subordinate to the principal single-family dwelling unit in terms of size, location and appearance and provides complete housekeeping facilities for one family, including independent cooking, bathroom, and sleeping facilities with physically separate access from any other dwelling unit. The unit shall not have separate metering or utilities from the principal dwelling.

Accessory structure: A structure detached from a principal building located on the same lot and customarily incidental and subordinate to the principal building or use. The size of the structure shall be kept within the character of the area which the structure is located. [Also Accessory building.]

Examples of accessory structures include but are not limited to: sheds, detached garages, animal shelters and enclosed run yards, swimming pools and spas, ½ pipes, freestanding arbors, trellises and gazebos. The following objects shall not be considered accessory structures and are not subject to the Zoning Code regulations: natural landscape, plantings and hardscape, mailboxes, lampposts and ornamental lighting, fountains, statuary, holiday decorations, inflatable pools with a capacity to hold less than 24", playforts, swingsets, trampolines and similar recreational structures, inflatable recreational equipment for purposes of yard placement and setbacks.

and,

BE IT FURTHER ORDAINED, that the remainder of Section 80-2.2 shall remain as written, and

BE IT FURTHER ORDAINED, that this Ordinance shall be effective immediately.

Seconded by Councilor Darcangelo
By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8506

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

Motion to TABLE by Darcangelo, seconded
by Vescio and so ordered July 22, 2009
DIED ON THE TABLE: SEPTEMBER 9,
2009

Language in **bold print and underlined** is
to be added.

Language [**in bold print and parenthesis**]
is to be deleted.

♦

AUGUST 26, 2009

ORDINANCE NO. 8516

AUTHORIZING THE
DISCONTINUANCE OF A PORTION OF
A PAPER ALLEY LOCATED BETWEEN
GANSEVOORT AVENUE AND NOCK
STREET, ROME, NEW YORK.

By Councilor Sparace:

WHEREAS, John M. Sparace, 1st
Ward Councilor for the City of Rome, has
requested the public sale of a portion of a
paper alley located between Gansevoort
Avenue and Nock Street, Rome, New York,
per the map and legal description attached
hereto and by this reference made a part
hereof, and

WHEREAS, no plans presently exist
or are contemplated for the future of said
property in the City of Rome, and

WHEREAS, a public hearing on said
proposed discontinuance has been held
pursuant to Section 118, Title A, of the
Rome City Charter Laws, now, therefore,

BE IT ORDAINED, that the
Common Council of the City of Rome
hereby authorizes the discontinuance of a
portion of a paper alley located between
Gansevoort Avenue and Nock Street, Rome,
New York, as more particularly described
per the map and legal description attached
hereto and made a part hereof, and

BE IT FURTHER ORDAINED, that
this Ordinance shall take effect immediately.

Seconded by Councilor Petty
By Councilor Vescio

RESOLVED, that the unanimous
consent of this Common Council be, and the
same hereby is given to the consideration of
Ordinance No. 8516

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith,
Darcangelo, Vescio
EXCUSED: Casadei
NAYS: None

Motion to TABLE by Sparace, seconded by
Petty and so ordered August 26, 2009
Motion to Remove from TABLE by
Sparace, seconded by Petty and so ordered
September 9, 2009

ORDINANCE NO. 8516

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: SEPTEMBER 9, 2009

HOLLAND AVENUE.

Southwesterly portion to the rear of
205; 209-211; 213 Gansevoort Avenue

Commencing at a point intersecting
the southerly margin of Seneca Street and
the easterly margin of Holland Avenue;
thence S. 41 degrees 35' 10" W. a distance
of 285.4 feet \pm to the place of beginning;
thence along the following courses and
distances:

S. 41 degrees 35' 10" W. 180.00 feet
N. 48 degrees 24' 50" W. 16.50 feet \pm
N. 41 degrees 35' 10" E. 180.00 feet \pm
S. 48 degrees 24' 50" E. 16.50 feet \pm

to the place of beginning, containing 0.07
acres of land, more or less.

The premises hereby conveyed are subject to
all conditions, covenants, restrictions,
easements and rights of way of record.

The person or persons requesting said sale
are responsible for any and/or more accurate
descriptions or surveys with a copy to be
furnished to the City of Rome Engineering
Department.

EXHIBIT "A"

♦

AUGUST 26, 2009

ORDINANCE NO. 8517

**AUTHORIZING THE SALE OF A
PORTION OF A PAPER ALLEY
LOCATED BETWEEN GANSEVOORT
AVENUE AND NOCK STREET,
ROME, NEW YORK.**

By Councilor Sparace:

WHEREAS, the City of Rome is the
owner of real property, namely, a portion of
a paper alley located between Gansevoort
Avenue and Nock Street, Rome, New York,
per the map and description attached hereto
and by this reference made a part hereof,
and

WHEREAS, John M. Sparace, 1st
Ward Councilor for the City of Rome, has
requested the public sale of a portion of a
paper alley located between Gansevoort
Avenue and Nock Street, Rome, New York,
as aforesaid, and

WHEREAS, no plans presently exist
or are contemplated for the future of said
property in the City of Rome, now,
therefore,

BE IT ORDAINED, that in
accordance with Section 33 of the Rome
City Charter, a public sale be held offering
to the highest bidder at auction, the portion
of a paper alley located between Gansevoort
Avenue and Nock Street, Rome, New York,
per the map and description attached hereto
and by this reference made a part hereof,
and that the minimum bid price for the
purchase of said property be no less than
Three Hundred and 00/100 Dollars
(\$300.00), and

BE IT FURTHER ORDAINED, that
said property shall be conveyed subject to
all existing easements and rights of way of
the City of Rome and at such sale the City
shall have the right to reject any and all bids
if deemed insufficient in amount, and

BE IT FURTHER ORDAINED, that the City Clerk is hereby authorized and directed to publish in the official newspaper of the City of Rome once in each week for three (3) consecutive weeks notice of the date, time and location of sale, and that the City Clerk is hereby directed to give notice to adjoining property owners, and

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance shall be forwarded to the Assessor's Office of the City of Rome for the purpose of investigating the fair market value of said property for sale, and

BE IT FURTHER ORDAINED, that any such property sold at public auction shall be subject to the "Terms of Sale" attached hereto and by this reference incorporated into this Ordinance as Exhibit "B".

Seconded by Councilor Petty
By Councilor Vescio

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No.8517

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
EXCUSED: Casadei
NAYS: None

Motion to TABLE by Sparace, seconded by Petty and so ordered August 26, 2009
Motion to Remove from TABLE by Sparace, seconded by Varano and so ordered September 9, 2009

ORDINANCE NO. 8517

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: SEPTEMBER 9, 2009

HOLLAND AVENUE.

Southwesterly portion to the rear of
205; 209-211; 213 Gansevoort Avenue

Commencing at a point intersecting the southerly margin of Seneca Street and the easterly margin of Holland Avenue; thence S. 41 degrees 35' 10" W. a distance of 285.4 feet \pm to the place of beginning; thence along the following courses and distances:

S. 41 degrees 35' 10" W. 180.00 feet \pm
N. 48 degrees 24' 50" W. 16.50 feet \pm
N. 41 degrees 35' 10" E. 180.00 feet \pm
S. 48 degrees 24' 50" E. 16.50 feet \pm

to the place of beginning, containing 0.07 acres of land, more or less.

The premises hereby conveyed are subject to all conditions, covenants, restrictions, easements and rights of way of record.

The person or persons requesting said sale are responsible for any and/or more accurate descriptions or surveys with a copy to be furnished to the City of Rome Engineering Department.

EXHIBIT "A"

NOTICE OF PUBLIC AUCTION
OF CITY OWNED PROPERTIES

TERMS OF SALE

The City of Rome will hold a public land auction on the ____ day of _____, _____ at _____ o'clock a.m./p.m. Any person bidding on the properties to be sold shall be required to enter into a Rehabilitation and Purchase Agreement with the City before any such bid is referred to the Board of Estimate and Contract for ratification and approval.

In general, the Rehabilitation Agreement provides that the bidder shall bring the property into compliance with City Code and/or perform any such other rehabilitation as prescribed by the "Real Estate Committee" in accordance with its stated goals and objectives for enhancement of the parcel and/or community, such rehabilitation to be performed within the time specified therein *before the deed of conveyance will be conveyed to the purchaser*. The scope of the work to be included in the rehabilitation agreement will vary, depending upon the bidder's proposed use of the property.

Within ten (10) days following the auction, the high bidder shall present a rehabilitation plan to the City Codes Office, whereupon the City Codes Office in cooperation with the Real Estate Committee shall prepare a punch list of items for incorporation into said rehabilitation agreement. The time allowed to the bidder for the performance of the rehabilitation will vary, depending upon the scope of the rehabilitation required, as the circumstances may dictate.

The bidder's proposed use of the property must be permitted under the City of Rome Zoning Code or, in the alternative, a zoning variance granted by the City of Rome Zoning Board, before the bid will be presented to the Board of Estimate and Contract for ratification and approval. A draft copy of the Rehabilitation Agreement shall be available for inspection at the Office of the Corporation Counsel not less than seven (7) days prior to the auction.

1. The City of Rome makes no promises, warranties, representations or statements of fact about any parcel which is being offered for sale. No employee or agent of the City of Rome has any authority to make any statements of any nature concerning any of the parcels offered for sale. It is the responsibility of each bidder to investigate any and all aspects of the status

of each parcel which he or she may desire to purchase PRIOR TO BIDDING ON ANY PARCEL.

2. Bidders are strongly encouraged to view the propert(ies) from the sidewalk or street, and are expressly prohibited from entering on to the propert(ies) or into the buildings thereon, if any, unless accompanied by a representative of the City Codes Office. This restriction shall apply to all bidders, even after the bids have been accepted, until such time as the quit claim deed transferring ownership from the City to the new owner is recorded with the City and County Clerks or until such time as a rehabilitation agreement is entered into with the bidder.

3. In some cases, a picture of the property or the county tax maps may be available. Tax maps are only representations and may depict a proposed road or development. The City does not guarantee any depictions contained on said maps, nor does it guarantee any dimensions shown thereon. All bidders are responsible for complying with any applicable zoning or building regulations, and are encouraged to investigate these issues prior to bidding on any parcel.

4. No representation is made as to the condition or validity of title to the parcels to be sold, which will be conveyed by the City by Quit Claim Deed.

The City is not responsible for providing abstracts of title or land surveys, but will make available for inspection any "stub searches" or other documents which are in its possession pertaining to the tax foreclosure or to the City's source of title. Physically, the parcels are to be sold in "as is" condition and no representations are made by the City as to the existence of any improvements thereon.

5. No representation is made by the City as to the status of any tax liens or other assessments levied against the property, and

the bidders shall assume all responsibility for inquiring with any assessing bodies to determine whether there are any outstanding levies of any nature due thereon.

6. At the time of the auction, the high bidder for each parcel shall sign a memorandum of sale wherein he or she affirms that he or she is not acting on behalf of the former owner from whom the property was taken for non-payment of taxes, if applicable. **The deed will be conveyed to those persons named in and whose signatures appear on the memorandum of sale only and to no other persons. Any person wishing to be on the deed must sign the memorandum of sale at the auction or prior to the transfer of the deed.**

7. Each bid is subject to approval by the Board of Estimate and Contract of the City of Rome. The City of Rome reserves the right to refuse or reject any bid. If any bid shall be rejected due to circumstances beyond the control of the high bidder, the bid deposit shall be refunded to the bidder.

8. At the time of execution of the memorandum of sale, the high bidder will be required to put down a deposit equal to ten percent (10%) of the bid price, unless such bid shall be \$3,000 or less, in which case the bidder will be expected to put down a deposit equal to fifty percent (50%) of the bid price. If such bid is approved by the Board of Estimate and Contract, the deed and related transfer documents will be prepared and a letter sent to the high bidder instructing him or her of the manner and the time within which he or she must complete the transfer and tender the balance of the purchase price. **Generally, the transfer is to be completed within 45 days from the date of the aforementioned letter, or the bid deposit will be forfeited to the City of Rome. This will not occur unless and until the bidder completes the performance of the Rehabilitation.**

9. If the high bidder refuses or fails to tender the balance of the purchase price and complete the transfer within the time allotted, the bid will immediately be forfeited to the City, and the property will again be placed on the list of city-owned properties for sale at the next auction. **Alternatively, the City shall have the right to present the second high bid to the Board of Estimate and Contract for approval if the second high bidder confirms that he or she is still interested in the property and that he or she places the required deposit with the City Clerk.**

10. If the City of Rome accepts the bid, the purchaser will be restricted and prohibited from selling, deeding, conveying, titling or transferring ownership in any manner whatsoever, to any person or persons who were a former owner or mortgagee of the property within the five years immediately preceding the date on which the property was taken by the City of Rome for non-payment of taxes. If this provision is violated, all deposits made by the successful bidder shall be forfeited to the City of Rome and (a) the conveyance by the City of Rome to the bidder shall become null and void, and (b) the title to the premises shall revert back to the City of Rome. **This restriction will be contained in the eventual deed to the premises.**

11. **Possession of the parcels on the date of title transfer or thereafter is not guaranteed.** If any particular property is occupied by tenants, squatters or trespassers, the purchaser shall be responsible for all costs necessary to oust or evict the occupants and to put the purchaser in possession of the premises.

12. Each bidder shall be responsible for all costs associated with the title transfer, including but not limited to deed stamping, recording fees, title searches, attorney's fees, surveyor's costs, title insurance, or any other costs which may be incurred. The City assumes the responsibility for

stamping/recording the deed with the City and County Clerks, at the bidder's expense, unless alternative arrangements are made. When the City attends to stamping and recordation of the deed, an additional administrative fee of \$20.00 is added to the actual cost.

13. Again, upon acceptance of the bid, performance by the bidder of the terms of any required rehabilitation agreement, and upon payment of the balance of the bid price, the City of Rome will convey all its right, title and interest in such property to the bidder(s) by Quit Claim Deed. *No warranties or representations are made regarding the property, its condition, size, location or title. It is the responsibility of each prospective purchaser to investigate any and all aspects of the status of each parcel which he or she may desire to purchase.*

Prior to bidding, the bidder shall be presumed to have conducted any investigations which he or she deems necessary, including but not limited to:

- a. title searches
- b. searches to determine the existence of any liens, encumbrances or easements affecting the property;
- c. the effect, if any, of any local laws, ordinances, regulations and/or other legal restrictions or conditions which may affect the premises, i.e. zoning; subdivision regulations; sewerage or the presence of any possible toxic or environmental wastes; water access.

EXHIBIT "B"

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AUGUST 26, 2009

ORDINANCE NO. 8519A

AMENDING ORDINANCE NO. 3235
ADOPTED APRIL 20, 1966
RELATIVE TO PARKING ON LAUREL
STREET BETWEEN
LEE STREET AND UNION STREET.

By Councilor Sparace:

WHEREAS, the Common Council previously adopted Ordinance No. 3235 on April 20, 1966, which Ordinance provided that parking on the northerly side of Laurel Street between Union Street and Lee Street was limited to one hour between 9:00 a.m. and 5:00 p.m. on Monday through Friday, with no parking allowed on the southerly side of Laurel Street between Lee Street and Union Street, and

WHEREAS, Frank D. Tallarino, Jr., Commissioner of Public Works for the City of Rome, has requested that the aforesaid parking restrictions along the northerly side of Laurel Street be modified to prohibit stopping between the hours of 6:30 a.m. and 8:30 a.m. and also between 1:30 p.m. and 3:30 p.m. on weekdays, with the continued no parking restriction on the southerly side of Laurel Street between Lee Street and Union Street, and

WHEREAS, Frank D. Tallarino, Jr., Commissioner of Public Works for the City of Rome, in consideration of discussions with the Rome City School District, (see attached Memorandum dated July 30, 2009) recommends the installation of "No Stopping" signs on the northerly side of Laurel Street to prohibit parking between the hours of 6:30 a.m. and 8:30 a.m. and also between 1:30 p.m. and 3:30 p.m. on weekdays, with the continued no parking restriction on the southerly side of Laurel Street between Lee Street and Union Street, and

WHEREAS, the aforesaid parking restrictions on Laurel Street will help to alleviate concerns regarding safety in this vicinity, now, therefore,

BE IT ORDAINED, that the “No Stopping” signs on the northerly side of Laurel Street be modified to prohibit parking between the hours of 6:30 a.m. and 8:30 a.m. and also between 1:30 p.m. and 3:30 p.m. on weekdays, with the continued no parking restriction on the southerly side of Laurel Street, pursuant to Public Works Commissioner Frank D. Tallarino, Jr.’s memorandum attached hereto and by this reference made a part hereof, as well as the Public Safety Commissioner’s memo dated August 6, 2009 in support of same, and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon the posting of the proper sign reflecting the parking restriction, per the map attached hereto and by this reference made a part hereof.

Seconded by Councilor Vescio
By Councilor Darcangelo

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8519

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith,
Darcangelo, Vescio
NAYS: None
EXCUSED: Casadei

Motion to TABLE by Sparace, seconded by Vescio and so ordered August 26, 2009
Motion to Remove from TABLE by Casadei, seconded by Petty and so ordered September 9, 2009

Motion to Amend 2nd & 3rd WHEREAS paragraphs, 1st BE IT ORDAINED paragraph to prohibit stopping on weekdays by Casadei, seconded by Sparace and so ordered September 9, 2009

ORDINANCE NO. 8519
AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: SEPTEMBER 9, 2009

♦

Motion to adjourn by Sparace, seconded by Petty and so ordered September 9, 2009.

♦

♦

♦

**COMMON COUNCIL MEETING
REGULAR SESSION
PROCEEDINGS**

**SEPTEMBER 23, 2009
7:30PM**

PRESENT: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

PLEDGE OF ALLEGIANCE

INVOCATION by President Mazzaferro

GENERAL PUBLIC HEARING

Joe Sallustio – 1212 N. James St. – DPW has been doing curb cuts in the outside district for years. Per the City Code, curb cuts in the outside district are done at the owners expense.

Developers have also been getting a free ride at the taxpayers expense. Water Plant expansion project was promised for City of Rome not the outside district.

Sally Pratt – 1801 N. James St. – Asking council to submit legislation to regulate cats. Would like to see water meters in the city. Asking council to pass legislation limiting parking to only one side of streets.

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Casadei, seconded by Vescio that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

The following businesses have notified the City Clerk's Office of their intention to renew liquor licenses:

Roman's West	5942 Rome Taberg Rd.
Johnny Bravo's	1109 Oneida St.
(Received & filed)	

NOTICES

Members of the council to meet with Jeremiah Schmidt from Solar Liberty & Frank Tallarino regarding utility cost savings for City Hall – September 23rd @ 6:00pm

Members of the council to meet with Shawna Papale & Peter Zawko regarding the Empire Zone September 23rd @ 6:30pm

REPORT OF CITY OFFICIALS

Mazzaferro – Special meeting of the council on September 30th @ 6:00pm for the Mayor's presentation of 2010 budget.

REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

Casadei – I find Mayor Brown's decision to fire the City Treasurer, John Nash, appalling. In his statement to the sentinel, the Mayor said he wanted to take the city in a different direction. What direction is the Mayor planning? Most current audit indicated deficiencies in spending.

Members of the council had several meetings with the Mayor regarding Kennedy Arena project. Council complained of lack of tracking of donated money to Parks & Recreation and the Mayor did not address the issue. CDBG funds are handled through Planning Dept. and were not handled appropriately, again the council went to the Mayor and nothing was done. John Nash should not be blamed for other departments misappropriations.

Vescio – Administration promised members of the council controls with spending. Council made suggestions regarding Kennedy Arena & CDBG funding and was ignored. How Parks & Recreation and Planning Dept. spends their money does not reflect on John Nash.

SEPTEMBER 23, 2009

RESOLUTION NO. 161

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND TRAINING COURSE.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department personnel, namely, Captain Scott Wittmann, Lieutenants John Bielby and Kenneth White, as well as Sergeants Dominic Corigliano, Mark Liddy and John Reilly, be and are hereby authorized to attend a three-day Training Course entitled "Managing Civil Actions in Threat Incidents Command", sponsored by the New York State Office of Homeland Security, to be held in Oriskany, New York on October 5 – 7, 2009. There is no cost to the City of Rome for registration, with lunch reimbursement being the only expected expense.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: SEPTEMBER 23, 2009

♦

SEPTEMBER 23, 2009

RESOLUTION NO. 162

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND TRAINING COURSE.

By Councilor Varano:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome

Police Department personnel, namely, Sergeant John Reilly and Patrolman Thomas Medlin, be and are hereby authorized to attend a three-day Training Course entitled "New York Highway Safety Annual Fall Symposium", sponsored by the New York Governor's Traffic Safety Committee, to be held in Saratoga Springs, New York on October 18 – 20, 2009. There is a registration fee of \$100.00 per person, plus accommodation and meal reimbursement, with a total expected expense in the amount of \$336.00.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: SEPTEMBER 23, 2009

♦

SEPTEMBER 23, 2009

RESOLUTION NO. 163 TABLED

AUTHORIZING THE MAYOR OF THE
CITY OF ROME TO SUBMIT
AN APPLICATION FOR GRANT
FUNDING TO THE NEW YORK STATE
ENERGY RESEARCH AND
DEVELOPMENT AUTHORITY
(NYSERDA) FOR
FUNDING FOR THE INSTALLATION OF
SOLAR PANELS AT ROME CITY HALL.

♦

WAIVE RULE SIX

SEPTEMBER 23, 2009

Motion to WR6* by Vescio, seconded by Casadei and so ordered September 23, 2009

RESOLUTION NO. 164*

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND BATON INSTRUCTOR
CERTIFICATION PROGRAM.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department personnel, namely, Sergeants Steve Armstrong and Michael Yoxall, as well as Patrolman Merino Ciccone, be and are hereby authorized to attend a two-day course entitled "Monadnock Advanced Expandable Baton Instructor Certification Program", hosted by the Mohawk Valley Police Academy, to be held in Utica, New York on October 13 – 14, 2009. There is no registration fee for attendance, with a total expected expense in the amount of \$30.00 for lunch reimbursement.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: SEPTEMBER 23, 2009

♦

WAIVE RULE SIX

SEPTEMBER 23, 2009

Motion to WR6* by Casadei, seconded by Vescio and so ordered September 23, 2009

RESOLUTION NO. 165*

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL TO
ATTEND CYBERSECURITY COURSE.

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department Patrolman Robert Pinti, be and is hereby authorized to attend a one-week course entitled "Cybersecurity: Incident Handling and Response", sponsored by the Department of Homeland Security and Utica College, to be held at Utica College, Utica, New York on September 28 – October 2, 2009. There is no registration fee for attendance, with a total expected expense in the amount of \$25.00 for lunch reimbursement.

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: SEPTEMBER 23, 2009

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WAIVE RULE SIX

SEPTEMBER 23, 2009

Motion to WR6* by Casadei, seconded by Vescio and so ordered September 23, 2009

RESOLUTION NO. 166*

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND BREATHALYZER
RECERTIFICATION TRAINING.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, the following members of the City of Rome Police Department, namely, Lieutenants Bielby and White, as well as Sergeants Yoxall and Patrolmen Shean, A. Ciccone, Rood, Uhl, Fragapane, Collins, Medlin, DeMatteo, Worth, Pohorenec, Riolo, Hoag and Martin, be and are hereby authorized to attend a four-hour training entitled "Breathalyzer Recertification", offered by the Mohawk Valley Police Academy, to be held in Utica, New York on October 12, 2009. There is no registration fee for attendance, and no expected reimbursements.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: SEPTEMBER 23, 2009

♦

SEPTEMBER 23, 2009

ORDINANCE NO. 8521

AUTHORIZING EXTENSION OF AN
INTERMUNICIPAL AGREEMENT WITH
COUNTY OF ONEIDA RELATIVE TO
SNOW AND ICE REMOVAL
FROM COUNTY HIGHWAYS FOR WINTER
2009-2010 THROUGH 2011-2012.

By Councilor Casadei:

BE IT ORDAINED, that the agreement presently in existence between the City of Rome and the County of Oneida concerning the removal of snow and ice from County roads located in the Outside District of Rome, New York be extended from November 1, 2009 through April 30, 2012, and

BE IT FURTHER ORDAINED, that the City of Rome shall be reimbursed for providing such snow and ice removal on the 14.75 miles of County roads in the amount of Five Thousand and 00/100 dollars (\$5,000.00) per mile, for a total of Seventy-three Thousand Seven Hundred Fifty and 00/100 Dollars (\$73,750.00) for the 2009-2010 snow removal season, and at the rate of Five Thousand Two Hundred Fifty and 00/100 dollars (\$5,250.00) per mile, for a total of Seventy-seven Thousand Four Hundred Thirty-seven and 50/100 Dollars (\$77,437.50) for the 2010-2011 snow removal season, and at the rate of Five Thousand Five Hundred and 00/100 dollars (\$5,500.00) per mile, for a total of Eighty-one Thousand One Hundred Twenty-five and 00/100 dollars (\$81,125.00) for the 2011-2012 snow removal season, and

BE IT FURTHER ORDAINED, that the Mayor is hereby authorized to execute said extended agreement, and

BE IT FURTHER ORDAINED, that the City Clerk be and is hereby authorized and directed to transmit two certified copies of this Ordinance to the Oneida County Department of Public Works, 6000 Airport Road, Oriskany, New York, 13424.

Seconded by Councilor Vescio

By Councilor Varano

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8521

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8521

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: SEPTEMBER 23, 2009

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SEPTEMBER 23, 2009

ORDINANCE NO. 8522

AUTHORIZING THE SUSPENSION OF
PARKING FEES APPLICABLE AT THE
LIBERTY PLAZA (LIBERTY/GEORGE
STREET) PARKING GARAGE FOR A
SET TIME PERIOD ON
OCTOBER 6, 2009.

By Councilor Petty:

WHEREAS, the Common Council of the City of Rome, New York, previously adopted parking rules and regulations pertaining to municipal parking areas, including fees for the use of the municipal parking garages, within the jurisdiction of the City of Rome, and

WHEREAS, it has been recommended that the parking fees applicable to use of the Liberty Plaza (formerly known as the Liberty/George Street) Parking Garage be temporarily suspended on Tuesday, October 6, 2009, during the hours of 5:00 p.m. to 11:00 p.m., to permit the free use of said garage by the general public during an event to be held at the Capitol Theatre featuring the United States Air Force Band, now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome, New York that the best interests of the citizens of the City of Rome are furthered by waiving the parking fees applicable to use of the Liberty Plaza Parking Garage to permit the free use of said garage by the general public during an event to be held at the Capitol Theatre featuring the United States Air Force Band, and

BE IT FURTHER ORDAINED, that after 11:00 p.m. on October 6, 2009, the suspension of fees authorized hereby shall expire and, on said date and time, all applicable parking fees shall be in full force and effect at the Liberty Plaza Parking Garage, and

BE IT FURTHER ORDAINED, that a copy of this Ordinance shall be forwarded by the Rome City Clerk to Frank D. Tallarino, Jr., Commissioner of Public Works, as well as to the Capitol Theatre.

Seconded by Councilor Smith
By Councilor Varano

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8522

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8522

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: SEPTEMBER 23, 2009

♦

Motion to adjourn by Petty, seconded by Vescio and so ordered September 23, 2009.

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♦

**COMMON COUNCIL MEETING
SPECIAL MEETING
PROCEEDINGS**

**SEPTEMBER 30, 2009
6:00 PM**

PRESENT: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

PLEDGE OF ALLEGIANCE

**MATTERS FOR CONSIDERATION
JAMES F. BROWN, MAYOR
BUDGET MESSAGE**

♦ ♦ ♦

Like many cities across the state and nation, the City of Rome has experienced turbulent financial times over the past year.

Unlike many of these communities, our strong, conservative fiscal management has helped us weather these difficult times. We have had to make many painful decisions over the past 18 months – and clearly, there is more pain in the 12 months ahead.

I believe – strongly – that we must endure this pain now. To postpone the cuts that I am proposing in this year's budget would jeopardize our current tax stability and undermine our taxpayers and our future potential for economic growth.

This budget proposal reduces the size city government by 14 positions, nine full-time and five part-time positions with a proposed savings of nearly \$440,000. Additionally, it reduces funding for temporary seasonal positions by another \$150,000.

This plan virtually eliminates the purchase of new equipment. We will explore any and all alternative funding options for equipment, develop more cost effective ways to deliver city services or change, reduce or eliminate some services altogether. We cannot ask taxpayers to buy us equipment that they quite simply cannot afford.

Most importantly, this budget contains no increase in taxes but rather shows the resolve of this administration and its commitment to keep this community affordable and to grow our tax rolls. Under this plan, tax rates in both the inside and outside districts will remain unchanged. The tax rate in the inside district will stay at \$19.19 per thousand dollars assessed value and at \$12.75 per thousand for outside district residents.

Discretionary spending will decrease by more than \$387,000 largely because of the proposed staffing reductions as well as a decrease in our debt service due to our accelerated payments; however, increases in pension and health insurance costs – which are outside of our control -- totaling \$331,000 will reduce our actual savings to \$56,000.

All city departments will feel the sting of these cuts. All department requests for manpower, equipment, vehicles and training were cut dramatically with only minor increases allowed for gasoline and diesel, utilities and some budget lines for materials; however, these increases too fall far below the amounts requested by department managers.

Over the past six years, we have worked tirelessly to redevelop our commercial corridors and residential neighborhoods. I am encouraged that despite the economic climate of the past year, our assessed rolls grew nearly \$2.7 million citywide. Investment in our urban core remains an absolute must. We can make Rome even more attractive to developers, and this \$42.5 million budget does just that by making our community more affordable.

Our workforce is second to none when it comes to delivering essential services - whether it is plowing streets, caring for public spaces, protecting our citizens or fighting fires. We believe that we do these things as well or better than any other community in the state. This workforce will, however, be challenged to continue to excel with fewer staff and older equipment. It can be done, and I fully expect them to rise to the occasion.

User fees for water and trash collection will remain at 2009 levels – thanks, in large part, to the tremendous job these departments do to maintain their facilities and equipment. Sewer rates must be increased approximately \$20 per single family home for 2010 if we are to maintain our facilities properly and avert greater increases later on.

Additionally, the City of Rome would use \$2.9 million in reserves in 2010 to help stabilize taxes. This administration has worked hard to reduce the amount of reserves used to stabilize taxes. In the 2004 budget, adopted before I became mayor, the city applied nearly \$7.7 million in reserves to balance the budget.

This limited use of our reserves demonstrates our commitment to maintaining our fund balance while also complimenting our aggressive debt reduction plans. Each year, we seek to meet the state comptroller's guidelines of having a fund balance of 3 percent. We anticipate that at the end of 2009, after applying the \$2.9 million in reserves to stabilize taxes that the City of Rome will still have a fund balance of approximately 2.7 percent (or \$965,000 of our \$42.5 million budget) heading into 2010. This balance does not include the approximately \$950,000 set aside in the city's capital reserve fund through savings identified in the quarterly budget reviews established by this administration only two years ago.

While property taxes in many communities account for as much as half of their total revenues, the property tax levy in the City of Rome remains only about a third of our revenue. State aid counts for another third of our revenue while sales tax receipts account for the remaining portion.

Each year, we try to estimate sales tax receipts conservatively, and we anticipate that 2010 will remain sluggish and have planned for sales tax revenues to remain at 2008 levels. We constantly monitor both our sales tax receipts and city expenditures during our quarterly budget reviews. As part of these reviews, we always strive to reduce spending even further to position ourselves to weather any unanticipated expenses. Our track record is excellent. Each and every year that I have been mayor, we have come in under budget and applied these savings toward our reserves or toward our capital reserve fund. Even when gasoline prices soared to unprecedented heights, we were, by using these quarterly reviews, able to stay under budget.

We have also been extremely successful in receiving grant funding – with more than \$8 million successfully received over the past six years – has not only helped us get valuable projects started but has done so without placing undue burdens on Rome's taxpayers.

Projects such as the Rome Cable demolition, the construction of American Alloy Steel or the construction of the Canal Village project on South James Street would be impossible without the funding we've received through such grants such as RESTORE-NY.

Multiyear budgeting is also a key facet in preparing for the future; and frankly, the 2011 budget looks even more grim than the 2010 budget proposed today. Costs over which the city has no control – namely pension and health insurance increases – will take even a greater chunk of our available funds in 2011. Health insurance costs, which rose nearly \$669,000 in 2010, are anticipated to grow even more while the state has already warned us of a projected increase in pension contributions of nearly half a million dollars.

As part of our multiyear plan, we have proposed limiting a planned increase in 2011 to 2% or less, which will again require significant cuts in our spending to make up for the Albany increases. The State of New York can no longer wait; it must take the lead on its budget issues and quit passing the buck on to municipalities. I, for one, cannot – and will not – pass the buck on to the taxpayers.

The governor, David Paterson, acknowledges that the state is facing a \$3 billion shortfall in this current fiscal year while the state comptroller estimates the state is looking at a \$38 billion deficit over the next four years if something isn't done and quickly.

The governor needs to stop bickering over his political future and start dealing with the state's fiscal survival. One way to eliminate the gap in the state's pension fund is to begin to mandate that employee contributions to the system keep pace with the private sector's. Nowhere but in government do employees contribute between 0 and 3 percent toward their retirement. By raising the employee contribution to between 5 and 6 percent – which is standard in the private sector – the City of Rome wouldn't be facing half-million dollar increases.

We have been able to weather the economic storm of 2009 and 2010 and avoid the problems the state is facing in large part because of our multiyear budgeting. Based on our projections, we anticipate that after a modest increase in 2011, the 2012 budget will contain no tax increase. While no one can foresee the future with absolute certainty, I am confident that these projections will help us develop long-range strategic plans for this community.

It is a privilege to represent the taxpayers of this community. As you review this budget, I am sure that you will see that we have made many difficult but necessary decisions to reduce discretionary spending and keep our taxes stable. While I am personally saddened by impending city staff reductions, I know professionally that reducing expenses wherever possible is essential to the future economic health of this community. It is a difficult and agonizing decision – but one that I must make.

We can and will revitalize this community. It will not be easy. It will require many more difficult decisions and possibly future staffing reductions; however, responsible budgets, like the one I propose today, will make it possible.

♦ ♦ ♦

WAIVE RULE SIX
SPECIAL MEETING

SEPTEMBER 30, 2009

Motion to WR6* by Smith, seconded by
Sparace and so ordered September 30, 2009

RESOLUTION NO. 167*A

AUTHORIZING THE CITY CLERK TO
ADVERTISE NOTICE OF
A PUBLIC HEARING REGARDING THE
BUDGET FOR THE CITY OF ROME FOR
FISCAL YEAR 2010.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to
Section 89, Title A, of the Rome Charter

Motion to adjourn by Casadei, seconded by Petty and so ordered September 30, 2009.

♦ ♦ ♦

LAND SALE

NOTICE, is hereby given that in accordance with Ordinance No. 8517, adopted September 9, 2009 by the Common Council, the Mayor of the City of Rome, will offer for sale at public auction on October 1, 2009, at 3:00 P. M. local time in the Common Council Chambers, City Hall, Rome, New York, real property, a portion of an unnamed alley located between Gansevoort Avenue and Nock Street, Rome, New York per the description attached hereto and by this reference made a part hereof, and that the minimum bid price for the purchase of said property be no less than Three Hundred and 00/100 Dollars (\$300.00)

BE IT FURTHER ORDAINED, that any such property sold at public auction shall be subject to the "Terms of Sale" a copy of which can be picked up at City Clerk's office

Louise S. Glassco, CMC
City Clerk

Rome Sentinel Co.

Legal Section – Three (3) Times

To Appear: September 14, September 23, & September 28, 2009

Dated: September 10, 2009

HOLLAND AVENUE. Southwesterly portion to the rear of
205; 209-211; 213 Gansevoort Avenue

Commencing at a point intersecting the southerly margin of Seneca Street and the easterly margin of Holland Avenue; thence S. 41 degrees 35' 10" W. a distance of 285.4 feet ± to the place of beginning; thence along the following courses and distances:

Laws, the Common Council of the City of Rome does hereby authorize the City Clerk of the City of Rome to advertise notice of a public hearing concerning the proposed 2010 budget for the City of Rome, said public hearing to be held on the 14th day of October, 2009, at 7:00 p.m., in the Common Council Chambers, City Hall, Rome, New York, at which time and place all interested persons will be heard thereon.

Seconded by Councilor Sparace

AYES: Sparce, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: SEPTEMBER 30, 2009

S. 41 degrees 35' 10" W. 180.00 feet ±
N. 48 degrees 24' 50" W. 16.50 feet ±
N. 41 degrees 35' 10" E. 180.00 feet ±
S. 48 degrees 24' 50" E. 16.50 feet ±

to the place of beginning, containing 0.07 acres of land, more or less.

The premises hereby conveyed are subject to all conditions, covenants, restrictions, easements and rights of way of record.

The person or persons requesting said sale are responsible for any and/or more accurate descriptions or surveys with a copy to be furnished to the City of Rome Engineering Department.

EXHIBIT "A"

Present: Anthony M. Falcone
213 Gansevoort St.
Rome, NY 13440
Bid \$300.00

♦ ♦ ♦

PROCEEDINGS

PUBLIC HEARING

BE IT RESOLVED, that pursuant to Section 89, Title A, of the Rome Charter Laws, the Common Council of the City of Rome does hereby authorize the City Clerk of the City of Rome to advertise notice of a public hearing concerning the proposed 2010 budget for the City of Rome, said public hearing to be held on the 14th day of October, 2009, at 7:00 p.m., in the Common Council Chambers, City Hall, Rome, New York, at which time and place all interested persons will be heard thereon.

Louise S. Glasso, CMC
City Clerk

Rome Sentinel Co.

To Appear: October 5, 2009

Dated: October 1, 2009

One (1) time

Speakers:

Joe Sallustio – 1212 N. James St. – Mayor Brown wants to sell water but with the city being non for profit how are we going to make money? If we sold the water system to the county water authority we could all benefit. \$20,000 on flowers & \$200,000 on trees is an issue. The quality of life for the taxpayer is more important especially when you need to put food on the table for your family. The budget benefits Mayor Brown's friends and family.

Andrew Savoie – 404 N. Madison St. – Where is the Mayor this evening? I thought he would be here to discuss his budget. Who is "Keeper of the Clock"? It is a line item on the budget. There is a need to take another look at the line item for uniform allowance it is very high.

Animal Control is limited to dogs only and there is no revenue generated from that department. As a cost savings, the City should consider donating the truck and equipment to the Humane Society and subsidize them for the services we provide.

Sally Pratt – 1801 N. James St. – Would like more information on the Security Guard at Strough School.

Betty Motley – 104 Vine Place – Appreciates the flowers in the city.

♦ ♦ ♦

**COMMON COUNCIL MEETING
REGULAR SESSION
PROCEEDINGS**

**OCTOBER 14, 2009
7:30PM**

PRESENT: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

PLEDGE OF ALLEGIANCE

INVOCATION by President Mazzaferro

GENERAL PUBLIC HEARING

Joe Sallustio – 1212 N. James St. – My son is being harassed by Codes Dept. to get even with me. He was building a deck on the back of his house and a stop work order came from Codes because he did not have a permit. Domenico picks & chooses who gets permits by who you are and where you live.

Sally Pratt – 1801 N. James St. – Who is this gentleman that is looking for volunteers to clean Franklyn Field?

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Casadei, seconded by Vescio that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

The following businesses have notified the City Clerk's Office of their intention to renew liquor licenses:

Teddy's of Rome Inc.
(Received & filed)

851 Black River Blvd.

David Benn & Christina Viscelli notified the City Clerk's Office of their application to NYS Liquor Authority for alteration for The Mill located at 611 E Dominick St., Rome, NY. (Received & filed)

Jessie Festa notified the City Clerk's Office of his application for a liquor license for premises located at 701 E. Dominick St., Rome, NY (Received & filed)

Capitol Theatre's financial report for quarter ended September 30, 2009 – On file City Clerk's Office (Received & filed)

Rome Art & Community Center's financial report for quarter ended September 30, 2009
On file City Clerk's Office (Received & filed)

Jervis Library's financial report for quarter ended September 30, 2009 – On file City Clerk's Office (Received & filed)

NOTICES

Members of the council to meet with Frank Tallarino for budget review and solar panel discussion October 14th @ 6:00pm

REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

Casadei – Very disappointed in the Mayor. We as a council have extended our hand and he has chopped it off. He refuses to work with the present council. If we are to run a fair and transparent budget for the taxpayers, what is the Mayor trying to hide!

♦
OCTOBER 14, 2009

RESOLUTION NO. 168

AUTHORIZING AN APPOINTMENT TO THE BOARD OF ASSESSMENT REVIEW FOR THE CITY OF ROME, NEW YORK.

By Councilor Casadei:

WHEREAS, City Assessor Joseph J. Surace, Jr., has recommended the reappointment of Barbara Chilluffo to the Board of Assessment Review for a five year term, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, pursuant to New York State Real Property Tax Law Section 523, that the following individual be and is hereby re-appointed to the Board of Assessment Review for the City of Rome, New York:

Barbara Chilluffo, 550 South Jay Street, Rome, New York

♦
Term: October 1, 2009 to September 30, 2014.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: OCTOBER 14, 2009

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OCTOBER 14, 2009

RESOLUTION NO. 169

AUTHORIZING CITY OF ROME POLICE DEPARTMENT PERSONNEL TO ATTEND TRAINING COURSE ON OCTOBER 28, 2009.

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department personnel, namely, Patrolmen Michael Uhl, Donald Moore, Robert Galluppi and Brian Gualtieri, be and are hereby authorized to attend a one-day

training course entitled "Safeguarding Reproductive Clinics and Providers", sponsored by the New York State Department of Justice Services, to be held in Albany, New York on October 28, 2009. There is no registration fee for attendance, with a total expected expense in the amount of \$20.00 for lunch reimbursement.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: OCTOBER 14, 2009

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OCTOBER 14, 2009

RESOLUTION NO. 170

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND TRAINING COURSE ON
OCTOBER 20, 2009.

By Councilor Petty:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department personnel, namely, Captain Scott Wittmann, Detective Jeff Race, Investigator Fred Robenski and Patrolman Shawn Platt, be and are hereby authorized to attend a two-day training course entitled "Problem Oriented Policing Training", sponsored by the New York State Department of Justice Services, to be held in Syracuse, New York on October 20-21, 2009. There is no registration fee for attendance, with a total expected expense in the amount of \$40.00 for lunch reimbursement.

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: OCTOBER 14, 2009

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OCTOBER 14, 2009

RESOLUTION NO. 171

AUTHORIZING CITY OF ROME
DIRECTOR OF PARKS AND
RECREATION TO ATTEND 59TH
ANNUAL CORTLAND
RECREATION CONFERENCE.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Richard Miller, Director of Parks and Recreation for the City of Rome, New York, be and is hereby authorized to attend the 59th Annual Cortland Recreation Conference, to be held at SUNY Cortland, New York on November 5-6, 2009. The registration fee for attendance is \$105.00, plus expected expenses for mileage and toll reimbursement.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith,
Casadei, Vescio

NAYS: Darcangelo

ADOPTED: OCTOBER 14, 2009

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OCTOBER 14, 2009

RESOLUTION NO. 172

CANCELLING THE NOVEMBER 11,
2009 AND NOVEMBER 25, 2009
COMMON COUNCIL MEETINGS AND
SCHEDULING A COMMON COUNCIL
MEETING FOR NOVEMBER 18, 2009.

By Councilor Casadei:

WHEREAS, Common Council President John J. Mazzaferro has requested that the Common Council meetings currently scheduled for November 11, 2009 and November 25, 2009 be cancelled due to Veterans Day on November 11th, and on November 25th due to the proximity to the Thanksgiving holiday, as has been the past practice of the Council, now, therefore,

BE IT RESOLVED, that the Common Council meetings originally scheduled for November 11, 2009 and November 25, 2009, be and the same are hereby cancelled, and

BE IT FURTHER RESOLVED, that a Common Council meeting is hereby scheduled for the month of November of 2009 on Wednesday, November 18, 2009.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Petty, Smith,

Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: OCTOBER 14, 2009

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OCTOBER 14, 2009

RESOLUTION NO. 173

AUTHORIZING THE MAYOR OF THE
CITY OF ROME TO APPLY FOR AND
ACCEPT GRANT FUNDING FROM THE
DEPARTMENT OF JUSTICE
COMMUNITY CAPACITY
DEVELOPMENT OFFICE FOR
2009-2010 WEED AND SEED FUNDING.

By Councilor Smith:

WHEREAS, James F. Masucci, Commissioner of Public Safety for the City of Rome has recommended that the City of Rome apply for and accept grant funding in the amount of \$142,000.00 from the Department of Justice Community Capacity Development Office for funding for the 2009-2010 Weed and Seed Program, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that James F. Masucci, Commissioner of Public Safety for the City of Rome, New York, and/or the Mayor of the City of Rome, be and are hereby authorized and directed to file an application for funds from the Department of Justice Community Capacity Development Office for funding for the 2009-2010 Weed and Seed Program, in an amount not to exceed \$142,000.00, and

BE IT FURTHER RESOLVED, upon approval of said application and funding, the Mayor of the City of Rome, New York or his designee is authorized to execute any and all documents necessary with the Department of Justice Community Capacity Development Office to facilitate receipt of the aforementioned financial assistance, pursuant to the Grant Application referenced herewith and placed on file in the Office of the City Clerk.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: OCTOBER 14, 2009

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OCTOBER 14, 2009

RESOLUTION NO. 174

AUTHORIZING ROME CITY CLERK TO
ATTEND CENTRAL NEW YORK
ELECTRONIC RECORDS SYMPOSIUM.

By Councilor Sparace:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Rome City Clerk Louise S. Glasso, be and is hereby authorized to attend a one-day course entitled "Central New York Electronic Records Symposium", sponsored by the New York State Archives and New York Association of Local Government Records Officers, to be held in Clay, New York on October 21, 2009. There is no registration fee for attendance, with reimbursement requested for mileage.

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: OCTOBER 14, 2009

♦

OCTOBER 14, 2009

RESOLUTION NO. 175

AMENDING COMMON COUNCIL
RESOLUTION NO. 173
ADOPTED JULY 9, 2008 REGARDING
AN AGREEMENT WITH THE ONEIDA-
HERKIMER SOLID WASTE
MANAGEMENT AUTHORITY
FOR THE ACCEPTANCE OF
LEACHATE.

By Councilor Smith:

WHEREAS, the Common Council of the City of Rome, pursuant to Resolution No. 173 adopted July 9, 2008, authorized the Mayor to enter into an agreement with the Oneida-Herkimer Solid Waste Management Authority for the treatment of leachate generated by the Ava Landfill and the Tannery Road Ash Landfill, and

WHEREAS, Frank D. Tallarino, Jr., Commissioner of Public Works, has recommended an amendment to the aforesaid Agreement whereby the rate for acceptance of leachate shall be modified, now, therefore,

BE IT RESOLVED, that pursuant to the Agreement entered into between the City and the Oneida-Herkimer Solid Waste Management Authority, the City of Rome provides treatment of the leachate from the Ava Landfill at a rate of \$0.0325/gallon, and pursuant to the mutual consent of the parties hereto, the rate shall be adjusted to \$.0250/gallon, said adjustment to take effect as of January 1, 2010, and

BE IT FURTHER RESOLVED, that City of Rome Common Council Resolution No. 173 adopted July 9, 2008 be and is hereby amended whereby the agreement between the City of Rome and the Oneida Herkimer Solid Waste Management Authority for the acceptance of leachate will be amended whereby the rate for acceptance

of leachate will be modified from \$.0325/gallon to \$.0250/gallon as of January 1, 2010, and

BE IT FURTHER RESOLVED, by the City of Rome Common Council, that the remainder of Common Council Resolution No. 173 adopted July 9, 2008 shall remain as originally set forth.

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: OCTOBER 14, 2009

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OCTOBER 14, 2009

RESOLUTION NO. 176

AUTHORIZING THE MAYOR OF THE CITY OF ROME TO SUBMIT A GRANT APPLICATION TO THE NEW YORK STATE ENVIRONMENTAL PROTECTION FUND LOCAL WATERFRONT REVITALIZATION PROGRAM (EPF) AND TO ENTER INTO AN AGREEMENT, ACCEPT AND ADMINISTER GRANT FUNDING FOR THE NAVIGATION CENTER – URBAN WATERFRONT REDEVELOPMENT PROJECT.

By Councilor Varano:

WHEREAS, Thomas Varano, Councilor for the Second Ward for the City of Rome has recommended that the City of Rome submit a Grant Application requesting \$400,000.00 in funding with the New York State Environmental Protection Fund Local Waterfront Revitalization Program (EPF), whereby the City of Rome would enter into an agreement, accept and administer funding in the amount of

\$400,000.00 for the Navigation Center – Urban Waterfront Redevelopment Project, a project that supports waterfront planning and development, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that Diane Shoemaker, Director of Community and Economic Development for the City of Rome, New York, and/or the Mayor of the City of Rome, be and are hereby authorized and directed to file a grant application for funds from the New York State Environmental Protection Local Fund Waterfront Revitalization Program (EPF), for funding in the amount of \$400,000.00 for The Navigation Center – Urban Waterfront Redevelopment Project, and

BE IT FURTHER RESOLVED, that \$400,000 in matching funds will be provided through a combination of grants, including in-kind from the City of Rome, and

BE IT FURTHER RESOLVED, upon approval of said application and funding, the Mayor of the City of Rome, New York or his designee is authorized to execute any and all documents deemed necessary with the New York State Environmental Protection Fund Local Waterfront Revitalization Program (EPF).

Seconded by Councilor Sparace

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: OCTOBER 14, 2009

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OCTOBER 14, 2009

RESOLUTION NO. 177

AUTHORIZING THE MAYOR OF THE
CITY OF ROME TO SUBMIT A GRANT
APPLICATION TO THE NEW YORK
STATE ENVIRONMENTAL
PROTECTION FUND LOCAL
WATERFRONT REVITALIZATION
PROGRAM (EPF) AND
TO ENTER INTO AN AGREEMENT,
ACCEPT AND ADMINISTER
GRANT FUNDING FOR THE GRAND
HOTEL – LITTLE ITALY MAIN
STREETS REVITALIZATION PROJECT.

By Councilor Sparace:

WHEREAS, John Sparace, Councilor for the First Ward for the City of Rome has recommended that the City of Rome submit a Grant Application requesting \$240,000.00 in funding with the New York State Environmental Protection Fund Local Waterfront Revitalization Program (EPF), whereby the City of Rome would enter into an agreement, accept and administer funding in the amount of \$240,000.00 for the Grand Hotel – Little Italy Main Streets Revitalization Project, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that Diane Shoemaker, Director of Community and Economic Development for the City of Rome, New York, and/or the Mayor of the City of Rome, be and are hereby authorized and directed to file a grant application for funds from the New York State Environmental Protection Local Fund Waterfront Revitalization Program (EPF), for funding in the amount of \$240,000.00 for The Grand Hotel – Little Italy Main Streets Revitalization Project, which project is consistent with the City of Rome's local revitalization plan and the proposed funding is appropriate for the project's completion, and

BE IT FURTHER RESOLVED, that matching funds of \$240,000 will be provided through a \$400,000 RESTORE grant for the Grand Hotel, and

BE IT FURTHER RESOLVED, upon approval of said application and funding, the Mayor of the City of Rome, New York or his designee is authorized to execute any and all documents deemed necessary with the New York State Environmental Protection Fund Local Waterfront Revitalization Program (EPF).

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: OCTOBER 14, 2009

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OCTOBER 14, 2009

ORDINANCE NO. 8523

AUTHORIZING MAYOR OF THE CITY
OF ROME TO ENTER INTO
REHABILITATION AGREEMENT WITH
A BUYER AND APPROVING THE SALE
OF CITY OWNED PARCEL TO BUYER
CONTINGENT ON A REHABILITATION
AGREEMENT WITH REGARD TO
PROPERTY LOCATED AT 414
WILLIAM STREET, ROME, NEW YORK.

By Councilor Smith:

WHEREAS, New York State Real Property Tax Law Section 1166 and Rome Charter Laws, Title A, Section 33(3) allow the City of Rome to sell and convey real property obtained by virtue of a tax foreclosure proceeding, upon approval and confirmation of a five-sevenths (5/7) vote of the Rome Common Council, with or without advertising for bids, and

WHEREAS, a certain city owned parcel of land is in need of rehabilitation and the City desires to sell and convey said real property to buyer, and obtain a written guarantee from the buyer that he will perform and accomplish the necessary rehabilitation within the agreed upon time frame of approximately eight months from the date said rehabilitation agreement is executed, now, therefore,

BE IT ORDAINED, that the Mayor of the City of Rome is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Rome Corporation Counsel and the City of Rome Codes Enforcement Officer, for tax sale property located at 414 William Street, Rome, New York, with Benjamin Salloum, for the rehabilitation of said property located at 414 William Street, Rome, New York, known as Tax Map No. 242.025-0002-058, and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome that it approves and confirms the sale and conveyance of tax sale property located at 414 William Street, Rome, New York, known as Tax Map No. 242.025-0002-058 for consideration of the performance of a Rehabilitation Agreement for said property, and for the total sum of Five Hundred and 00/100 Dollars (\$500.00), said conveyance to take place following the contingencies hereinafter set forth, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the execution by the buyer of the Rehabilitation Agreement within thirty (30) days of the adoption of this Ordinance, and

BE IT FURTHER ORDAINED, that subsequent to the execution of the Rehabilitation Agreement, this authorization is further contingent upon the granting of a written certification by the City of Rome Codes Enforcement Officer, stating that he has inspected the property and that the buyer has completed all necessary rehabilitation in the time period required by the agreement, and

BE IT FURTHER ORDAINED, that upon receipt of the written certification from the Codes Enforcement Officer, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the buyer having completed this transaction by rendering payment in full to the City of Rome within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale, and

BE IT FURTHER ORDAINED, that the real property shall at no point in time be sold, transferred, titled or conveyed to any person who was a record owner and/or mortgagor of the property within the five (5) year period immediately preceding the date on which the property was taken by the City of Rome for non-payment of taxes. If such prohibited conveyance shall be made by any party in the succeeding chain of title, then immediately thereon (a) this conveyance shall become null and void to the buyer, his, her or their successors and/or assigns, and (b) the title to the above premises shall revert back to the City of Rome.

Seconded by Councilor Petty
By Councilor Varano

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8523

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8523
AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: OCTOBER 14, 2009

OCTOBER 14, 2009

ORDINANCE NO. 8524

AUTHORIZING MAYOR OF THE CITY
OF ROME TO ENTER INTO
REHABILITATION AGREEMENT WITH
A BUYER AND APPROVING THE SALE
OF CITY OWNED PARCEL TO BUYER
CONTINGENT ON A REHABILITATION
AGREEMENT WITH REGARD TO
PROPERTY LOCATED AT 210
LAWRENCE STREET,
ROME, NEW YORK.

By Councilor Petty:

WHEREAS, New York State Real Property Tax Law Section 1166 and Rome Charter Laws, Title A, Section 33(3) allow the City of Rome to sell and convey real property obtained by virtue of a tax foreclosure proceeding, upon approval and confirmation of a five-sevenths (5/7) vote of the Rome Common Council, with or without advertising for bids, and

WHEREAS, a certain city owned parcel of land is in need of rehabilitation and the City desires to sell and convey said real property to buyer, and obtain a written guarantee from the buyer that he will perform and accomplish the necessary rehabilitation within the agreed upon time frame of approximately eight months from the date said rehabilitation agreement is executed, now, therefore,

BE IT ORDAINED, that the Mayor of the City of Rome is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Rome Corporation Counsel and the City of Rome Codes Enforcement Officer, for tax sale property located at 210 Lawrence Street, Rome, New York, with Philip Nelson, for the rehabilitation of said property located at 210 Lawrence Street, Rome, New York, known as Tax Map No. 242.066-0002-064, and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome that it approves and confirms the sale and conveyance of tax sale property located at 210 Lawrence Street, Rome, New York, known as Tax Map No. 242.066-0002-064 for consideration of the performance of a Rehabilitation Agreement for said property, and for the total sum of One Hundred Fifty and 00/100 Dollars (\$150.00), said conveyance to take place following the contingencies hereinafter set forth, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the execution by the buyer of the Rehabilitation Agreement within thirty (30) days of the adoption of this Ordinance, and

BE IT FURTHER ORDAINED, that subsequent to the execution of the Rehabilitation Agreement, this authorization is further contingent upon the granting of a written certification by the City of Rome Codes Enforcement Officer, stating that he has inspected the property and that the buyer has completed all necessary rehabilitation in the time period required by the agreement, and

BE IT FURTHER ORDAINED, that upon receipt of the written certification from the Codes Enforcement Officer, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the buyer having completed this transaction by rendering payment in full to the City of Rome within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale, and

BE IT FURTHER ORDAINED, that the real property shall at no point in time be sold, transferred, titled or conveyed to any

person who was a record owner and/or mortgagor of the property within the five (5) year period immediately preceding the date on which the property was taken by the City of Rome for non-payment of taxes. If such prohibited conveyance shall be made by any party in the succeeding chain of title, then immediately thereon (a) this conveyance shall become null and void to the buyer, his, her or their successors and/or assigns, and (b) the title to the above premises shall revert back to the City of Rome.

Seconded by Councilor Varano
By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8524

Seconded by Councilor Varano

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8524

AYES: Sparace, Varano, Petty, Smith,
Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: OCTOBER 14, 2009

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OCTOBER 14, 2009

ORDINANCE NO. 8525

**AUTHORIZING THE CLOSING OF A
PORTION OF NORTH JAMES STREET
ON NOVEMBER 11, 2009 FOR A
VETERANS DAY PROGRAM.**

By Councilor Petty:

WHEREAS, the Rome Memorial Day Association has contacted the City of Rome requesting the closing of a portion of North James Street, from West Liberty

Street north to West Court Street on Wednesday, November 11, 2009, to allow for the annual Veterans Day Remembrance ceremony, now, therefore,

BE IT ORDAINED, that the Common Council of the City of Rome, New York does hereby authorize the closing of a portion of North James Street, from West Liberty Street north to West Court Street, on Wednesday, November 11, 2009 from 10:00 a.m. to 11:15 a.m. to allow for the annual Veterans Day Remembrance ceremony to be held on said date, and

BE IT FURTHER ORDAINED, that on Wednesday, November 11, 2009 only, for the above-noted time period, parking on the west side of North James Street shall be limited to handicapped parking only, and

BE IT FURTHER ORDAINED, that the City Clerk is hereby directed to transmit a copy of this Ordinance to the Chiefs of the Police and Fire Departments, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon The Rome Memorial Day Association and Veterans Council providing the City of Rome with a certificate of insurance in the amount of \$2,000,000 per occurrence for bodily injury and death/property damage, or blanket coverage in the amount of \$4,000,000, naming the City of Rome as an additional insured, and indemnifying and holding the City of Rome harmless from any all liability arising out of the closing of that portion of North James Street, from 10:00 a.m. to 11:15 a.m. on Wednesday, November 11, 2009 as outlined hereinabove, and

BE IT FURTHER ORDAINED, that the above authorization shall take effect upon placement of the appropriate barriers at each end of the affected area.

Seconded by Councilor Smith
By Councilor Vescio

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8525

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8525

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio
NAYS: None

ADOPTED: OCTOBER 14, 2009

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OCTOBER 14, 2009

ORDINANCE NO. 8526

AUTHORIZING THE SUSPENSION OF
PARKING FEES
APPLICABLE AT THE LIBERTY PLAZA
(LIBERTY/GEORGE STREET)
PARKING GARAGE FOR A SET TIME
PERIOD ON SEVERAL DATES DURING
OCTOBER, NOVEMBER AND
DECEMBER OF 2009.

By Councilor Petty:

WHEREAS, the Common Council of the City of Rome, New York, previously adopted parking rules and regulations pertaining to municipal parking areas, including fees for the use of the municipal parking garages, within the jurisdiction of the City of Rome, and

WHEREAS, it has been recommended that the parking fees applicable to use of the Liberty Plaza (formerly known as the Liberty/George Street) Parking Garage be temporarily suspended on Saturday, October 17, 2009, during the hours of 5:00 p.m. to 12:00 midnight, to permit the free use of said garage by the general public during an event to

be held at the Capitol Theatre featuring a presentation of the "Creature from the Black Lagoon", and

WHEREAS, it has been recommended that the parking fees applicable to use of the Liberty Plaza (formerly known as the Liberty/George Street) Parking Garage be temporarily suspended on Sunday, November 8, 2009, during the hours of 4:00 p.m. to 10:00 p.m., to permit the free use of said garage by the general public during an event to be held at the Capitol Theatre featuring the "Glenn Miller Orchestra", and

WHEREAS, it has been recommended that the parking fees applicable to use of the Liberty Plaza (formerly known as the Liberty/George Street) Parking Garage be temporarily suspended on Saturday, November 14, 2009, during the hours of 5:00 p.m. to 12:00 midnight, to permit the free use of said garage by the general public during an event to be held at the Capitol Theatre featuring a presentation of "Hey You! A Tribute to Pink Floyd", and

WHEREAS, it has been recommended that the parking fees applicable to use of the Liberty Plaza (formerly known as the Liberty/George Street) Parking Garage be temporarily suspended on Friday and Saturday, December 11 and 12, 2009, during the hours of 5:30 p.m. to 11:00 p.m., to permit the free use of said garage by the general public during an event to be held at the Capitol Theatre featuring a presentation of the "Nutcracker" by the O'Neill Studio of Dance, now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome, New York that the best interests of the citizens of the City of Rome are furthered by waiving the parking fees applicable to use of the Liberty Plaza Parking Garage to permit the free use of said garage by the general public during the events to be held at the Capitol Theatre, as noted:
Saturday, October 17, 2009, during the hours of 5:00 p.m. to 12:00 midnight, for a presentation of the "Creature from the Black Lagoon";

Sunday, November 8, 2009, during the hours of 4:00 p.m. to 10:00 p.m., for a presentation by the "Glenn Miller Orchestra"; Saturday, November 14, 2009, during the hours of 5:00 p.m. to 12:00 midnight, for a presentation of "Hey You! A Tribute to Pink Floyd", and on Friday and Saturday, December 11 and 12, 2009, during the hours of 5:30 p.m. to 11:00 p.m., for a presentation of the Nutcracker by the O'Neill Studio of Dance, and

BE IT FURTHER ORDAINED, that after the times noted for each of the events listed hereinabove, the suspension of fees authorized hereby shall expire and, on said dates, all applicable parking fees shall be in full force and effect at the Liberty Plaza Parking Garage, and

BE IT FURTHER ORDAINED, that a copy of this Ordinance shall be forwarded by the Rome City Clerk to Frank D. Tallarino, Jr., Commissioner of Public Works, as well as to the Capitol Theatre.

Seconded by Councilor Smith
By Councilor Petty

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8526

Seconded by Councilor Casadei

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio
NAYS: None

ORDINANCE NO. 8526

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio
NAYS: None
ADOPTED: OCTOBER 14, 2009

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OCTOBER 14, 2009

ORDINANCE NO. 8527

AUTHORIZING THE CLOSING OF
STREETS FOR ROME ROTARY'S
HALLOWEEN PARADE.

By Councilor Sparace:

WHEREAS, Rome Rotary's Halloween Parade has been scheduled for Thursday, October 22, 2009, and with the safety of the participants in mind, the Rotary has asked for streets to be closed beginning at 4:00 p.m. on that day, now, therefore,

BE IT ORDAINED, that the Common Council of the City of Rome, New York does hereby authorize the closing of the following City streets beginning at 4:00 p.m. on Thursday, October 22, 2009, starting at Staley School, left onto Garden Street, right onto Belmont, left onto Riverside, left onto Wellsley, left onto Harvard, and left onto Bloomfield Street and back to Staley School, and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the above organization providing the City of Rome with a certificate of insurance in the amount of \$2,000,000.00 per occurrence, for bodily injury and death/property damage, and a minimum general aggregate coverage of \$4,000,000.00, naming the City of Rome as an additional insured, and indemnifying and holding the City of Rome harmless from any and all liability arising out of the closing of the streets as outlined hereinabove, and

BE IT FURTHER ORDAINED, that the above authorization shall take effect upon placement of the appropriate barriers at each end of the affected area.

Seconded by Councilor Varano
By Councilor Petty

RESOLVED, that the unanimous consent of this Common Council be, and the

same hereby is given to the consideration of Ordinance No. 8527

Seconded by Councilor Smith

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ORDINANCE NO. 8527

AYES: Sparace, Varano, Petty, Smith, Casadei, Darcangelo, Vescio

NAYS: None

ADOPTED: OCTOBER 14, 2009

♦

OCTOBER 14, 2009

ORDINANCE NO. 8528

% Lacking Unanimous Consent

**APPROVING THE ANNUAL BUDGET
FOR THE YEAR 2010.**

♦

AUGUST 26, 2009

ORDINANCE NO. 8518 DIED

**AUTHORIZING THE PLACEMENT OF
NO PARKING SIGNS ON BOTH
SIDES OF A PORTION OF LEE STREET,
ADJACENT TO STROUGH SCHOOL.**

By Councilor Varano:

WHEREAS, Frank D. Tallarino, Jr., Commissioner of Public Works for the City of Rome, has requested that "No Parking" signs be placed on Lee Street along both sides of the street, from Laurel Street to the southerly boundary of Strough School, and

WHEREAS, Frank D. Tallarino, Jr., Commissioner of Public Works for the City of

Rome, in consideration of discussions with the Rome City School District, (see attached Memorandum dated July 30, 2009) recommends the installation of "No Parking" signs on Lee Street along both sides of the street, from Laurel Street to the southerly boundary of Strough School, and

WHEREAS, the prohibition of parking on Lee Street will help to alleviate concerns regarding safety in this vicinity, now, therefore,

BE IT ORDAINED, that parking shall be prohibited on Lee Street along both sides of the street, from Laurel Street to the southerly boundary of Strough School, pursuant to Public Works Commissioner Frank D. Tallarino, Jr.'s memorandum attached hereto and by this reference made a part hereof, as well as the Public Safety Commissioner's memo dated August 6, 2009 in support of same, and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon the posting of the proper sign reflecting the parking restriction, per the map attached hereto and by this reference made a part hereof.

Seconded by Councilor Vescio
By Councilor Darcangelo

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8518

Seconded by Councilor Petty

AYES: Sparace, Varano, Petty, Smith, Darcangelo, Vescio

NAYS: None

EXCUSED: Casadei

Motion to TABLE by Sparace, seconded by Varano and so ordered August 26, 2009

DIED ON THE TABLE: OCTOBER 14, 2009

♦

Motion to adjourn by Vescio, seconded by Casadei and so ordered October 14, 2009.

**COMMON COUNCIL MEETING
REGULAR SESSION
PROCEEDINGS**

**OCTOBER 28, 2009
7:30PM**

**PRESENT: Sparace, Varano, Smith, Casadei, Darcangelo, Vescio
EXCUSED: Petty**

PLEDGE OF ALLEGIANCE

INVOCATION by President Mazzaferro

GENERAL PUBLIC HEARING

James Kennedy – 6259 Evening Rd. – Requesting legislation pertaining to wood burning stoves be reviewed. One neighbor heats his home with a wood burning stove which causes excessive smoke in the area to the point that we cannot open our windows. This is not only a health issue but a fire hazard in the neighborhood.

Sally Pratt – 1801 N. James St. – Vehicles used for delivery services have been speeding on James St.

Andrew Savoie – 404 N. Madison St. – Thanking Frank Tallarino for the demolition of the abandoned house on Madison St.

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Vescio, seconded by Casadei that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

NOTICES

Members of the council to meet with Rich Miller to discuss the Trail Project & Deely property October 28th @ 6:45pm

REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

Sparace – 2010 CDBG Action Plan is a sound plan. Diane Shoemaker and Chris Mercurio worked very hard and deserve the credit.

Darcangelo – There was an issue over the weekend with a level 3 sex offender in the 6th ward. Police Department personnel resolved the issue quickly and are to be commended.

Sparace – To Lt. Bielby – Halloween is this weekend; what measures are being taken to protect our children from sex offenders?

Bielby – There is an active program in effect. Sex offenders are to report monthly to the Police Dept. If an individual misses a month, they are tracked down. We do have a lot of community involvement from neighbors.

Varano – To Lt. Bielby – please explain the Police Academy to the RCH students present at tonight's meeting.

Bielby – Explained the program

PRESENTING OF REPORT OF COMMITTEES

Darcangelo – Mayor Brown promised the taxpayer a zero increase in 2010 taxes. The finance committee has some concerns regarding the method used to keep this promise. This is the Mayor's budget and the council has no control over it.

♦
OCTOBER 28, 2009**RESOLUTION NO. 178**

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND SEMINAR ON NOVEMBER
18 – 19, 2009.

By Councilor Vescio

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department personnel, namely, Detective James Boyer and Investigator Fred Robenski, be and are hereby authorized to attend a two-day seminar entitled "Statement Analysis Training", sponsored by the New York State Division of Criminal Justice Services, to be held in Albany, New York on November 18 – 19, 2009. There is no registration fee for attendance, with a total expected expense in the amount of \$20.00 for lunch reimbursement.

Seconded by Councilor Varano

AYES: Sparace, Varano, Smith, Casadei,

Darcangelo, Vescio

NAYS: None

EXCUSED: Petty

ADOPTED: OCTOBER 28, 2009

♦
OCTOBER 28, 2009**RESOLUTION NO. 179**

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND SEMINAR ON NOVEMBER
5 - 6, 2009.

By Councilor Vescio

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department personnel, namely, Chief Kevin Beach, Deputy Chief Kevin Simons, Captain Ed Stevens, Captain Scott Wittmann, and Sergeant Steve Armstrong, be and are hereby authorized to attend a two-day seminar entitled "Law Enforcement Executive Seminar – Budgeting and Strategic Planning", sponsored by the New York State Division of Criminal Justice Services, to be held in Utica, New York on November 5-6, 2009. There is no registration fee for attendance, with a total expected expense in the amount of \$50.00 for lunch reimbursement.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Smith, Casadei,

Darcangelo, Vescio

NAYS: None

EXCUSED: Petty

ADOPTED: OCTOBER 28, 2009

OCTOBER 28, 2009

RESOLUTION NO. 180

AUTHORIZING CITY OF ROME FIRE
DEPARTMENT PERSONNEL
TO ATTEND ARSON SEMINAR ON
NOVEMBER 18, 2009.

By Councilor Smith

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Fire Department personnel, namely, Deputy Chief Kirk, Deputy Chief Gifford, Captain Gratch and Lieutenants Liddy, Kaier, Zakala and Gualtieri, be and are hereby authorized to attend the Oneida County Arson Task Force Fall Arson Seminar, to be held in New Hartford, New York on November 18, 2009. There is a registration fee for attendance of \$35.00 per person, with a total expected expense in the amount of \$245.00.

Seconded by Councilor Vescio

AYES: Sparace, Varano, Smith, Casadei,
Darcangelo, Vescio

NAYS: None

EXCUSED: Petty

ADOPTED: OCTOBER 28, 2009

♦

OCTOBER 28, 2009

RESOLUTION NO. 181

AUTHORIZING THE MAYOR TO
SUBMIT THE 2010
COMMUNITY DEVELOPMENT BLOCK
GRANT (CDBG) ANNUAL ACTION
PLAN AND THE 2010-2014
CONSOLIDATED PLAN TO THE U.S.
DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT FOR REVIEW
AND APPROVAL.

By Councilor Sparace:

WHEREAS, Community Development Block Grant Entitlement funding will be made available to the City of Rome in 2010 upon submission of the Community Development Block Grant Program Annual Action Plan and the 2010-2014 Consolidated Plan to the United States Department of Housing and Urban Development, and

WHEREAS, public information concerning the amount of funds available for use has been provided to the citizens of Rome, and

WHEREAS, the Common Council and the City of Rome Department of Planning and Community Development have held two (2) public hearings, on August 6, 2009, and August 7, 2009, to obtain any views and comments the citizens of Rome had concerning said Community Development Block Grant funding, now, therefore,

BE IT RESOLVED, that the Mayor of the City of Rome is hereby authorized to submit the 2010 Community Development Block Grant Program Annual Action Plan and the 2010-2014 Consolidated Plan, and any and all other necessary documents, to the United States Department of Housing and Urban Development, in order to receive the City of Rome's 2010 Community Development Block Grant Entitlement, and

BE IT FURTHER RESOLVED, that all funds received under the Community Development Program shall be administered by the City of Rome's Department of Planning and Community Development, pursuant to the Housing and Community Act of 1974, 1980, 1983 and 1988, as amended.

Seconded by Councilor Varano

AYES: Sparace, Varano, Smith, Casadei,
Darcangelo, Vescio

NAYS: None

EXCUSED: Petty

ADOPTED: OCTOBER 28, 2009

♦

OCTOBER 28, 2009

RESOLUTION NO. 182

**AUTHORIZING DEPUTY CITY CLERK
TO ATTEND WORKSHOP.**

By Councilor Vescio

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Deputy City Clerk Cynthia DelPiano, be and is hereby authorized to attend a Local Government Records Management Improvement Fund Workshop sponsored by the New York State Archives, a program of the State Education Department, to be held in Marcy, New York on November 18, 2009. There is no registration fee for attendance, with reimbursement requested for mileage only.

Seconded by Councilor Sparace

AYES: Sparace, Varano, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Petty
ADOPTED: OCTOBER 28, 2009

♦

OCTOBER 28, 2009

RESOLUTION NO. 183A

**AUTHORIZING A PUBLIC HEARING
REGARDING THE
CONSOLIDATION OF THE ROME
EMPIRE ZONE ADMINISTRATIVE
BOARD WITH THE ONEIDA COUNTY
EMPIRE ZONE
ADMINISTRATIVE BOARD.**

By Councilor Smith:

BE IT RESOLVED, that the City Clerk is hereby authorized and directed to advertise in the official newspaper of the City of Rome, notice of a public hearing

regarding the consolidation of the Rome Empire Zone Administration Board with the Oneida County Empire Zone Administration Board, said public hearing to be held on the 18th day of November, 2009, at the Common Council Chambers, 2nd floor, Rome City Hall at 7:20 p.m., at which time all interested parties will be heard thereon.

Seconded by Councilor Vescio

Motion to Amend to insert date & time by Vescio, seconded by Smith and so ordered October 28, 2009

AYES: Sparace, Varano, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Petty
ADOPTED: OCTOBER 28, 2009

♦

WAIVE RULE SIX

OCTOBER 28, 2009

Motion to WR6* by Vescio, seconded by Darcangelo and so ordered October 28, 2009

RESOLUTION NO. 184*

**AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL TO
ATTEND SEMINAR ON
NOVEMBER 18, 2009.**

By Councilor Darcangelo:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department personnel, namely, Detective James Boyer and Sergeant Joel Guy, be and are hereby authorized to attend a one-day seminar entitled "Oneida County Arson Task Force Fall Seminar", to be held in New Hartford, New York on November 18, 2009. There is a registration fee of \$35.00 per person for attendance.

Seconded by Councilor Vescio

OCTOBER 14, 2009

AYES: Sparace, Varano, Smith, Casadei,
Darcangelo, Vescio

NAYS: None

EXCUSED: Petty

ADOPTED: OCTOBER 28, 2009

♦

WAIVE RULE SIX

OCTOBER 28, 2009

Motion to WR6* by Vescio, seconded by
Darcangelo and so ordered October 28, 2009

RESOLUTION NO. 185*

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND DWI TRAINING ON
NOVEMBER 17, 2009.

By Councilor Sparace:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department personnel, namely, Patrolmen Donald Moore, Jason Paul, Cheyenne Schoff, Mark Glasso and Richard Galluppi, be and are hereby authorized to attend a one-day DWI Training entitled "New York State Prosecutors Training Institute", sponsored by the Oneida County Stop-DWI, to be held in Oriskany, New York on November 17, 2009. The only anticipated expense is for lunch reimbursement in the amount of \$25.00.

Seconded by Councilor Varano

AYES: Sparace, Varano, Smith, Casadei,
Darcangelo, Vescio

NAYS: None

EXCUSED: Petty

ADOPTED: OCTOBER 28, 2009

♦

ORDINANCE NO. 8528

APPROVING THE ANNUAL BUDGET
FOR THE YEAR 2010.

By Councilor Vescio:

WHEREAS, the Board of Estimate and Contract, on September 30, 2009, did submit the proposed City budget for the year 2010 to the Common Council of the City of Rome, and

WHEREAS, the Common Council did on the 14th day of October, 2009, hold a public hearing at which time all interested persons were given an opportunity to be heard thereon, now, therefore,

BE IT ORDAINED, that the annual estimate for 2010 as submitted by the Board of Estimate and Contract shall constitute the tax budget for the year 2010 with the same force and effect as though fully set forth herein:

That the several sums of the expenditures shall become appropriated in the amount set forth by said annual estimate for the several departments, officers, employees and other matters and purposes as herein enumerated, and that the several sums therein enumerated on established revenues and the moneys necessary to be raised by taxation in addition thereto pay for the expense of conducting the affairs of the City of Rome, shall be and become applicable in the amounts herein named for the purpose of meeting said appropriations;

That the sum of \$3,800,806 be raised by taxation upon the real property subject to taxation within the corporation district of the City of Rome as set forth in Section I of the annual estimate for the year 2010;

That the sum of \$10,472,388 be raised by taxation upon the real property

subject to taxation in the entire City both inside and outside of the corporation district as set forth in Section III of the annual estimate for the year 2010;

That the total sum of \$14,273,194 be taxed and raised upon all real property subject to taxation in the entire City of Rome including the inside and outside corporation districts for the sum total hereinabove set forth;

That the proposed budget submitted on September 30, 2009 by the Board of Estimate and Contract is hereby approved; and

That the annual budget shall be effective January 1, 2010.

Seconded by Councilor Casadei
By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8528

Seconded by Councilor Varano

AYES: Sparace, Varano, Petty, Smith,
Darcangelo, Vescio
NAYS: Casadei

% Lacking unanimous consent

Roll Call Vote:

AYES: Sparace, Varano, Smith, Casadei,
Darcangelo, Vescio
NAYS: None
EXCUSED: Petty
ADOPTED: OCTOBER 28, 2009

♦

OCTOBER 28, 2009

ORDINANCE NO. 8529

AUTHORIZING THE CLOSING OF
STREETS FOR THE ANNUAL WINTER
HOLIDAY CHRISTMAS TREE
LIGHTING CEREMONY.

By Councilor Smith:

WHEREAS, Richard Miller, Director of the Department of Parks, Recreation and Community Activities has requested that the Common Council authorize the closing of certain streets in conjunction with the Annual Winter Holiday Christmas Tree Lighting Ceremony to be held at the Veterans and Gansevoort Parks, as follows: North James Street from Huntington Street to Stanwix Street to Eilenberg Lane, Court Street from Bissell Street to Church Street, Park Street from the rear of Old City Hall to Church Street, with Liberty Street traffic being allowed only a right turn access onto North James Street, heading south, on Friday, December 4, 2009, between the hours of 4:30 p.m. and 9:00 p.m., and

WHEREAS, it is in the best interests of the City of Rome to support this community activity, now, therefore,

BE IT ORDAINED, that the Common Council of the City of Rome, New York does hereby authorize the closing of North James Street from Huntington Street to Stanwix Street to Eilenberg Lane, Court Street from Bissell Street to Church Street, Park Street from the rear of Old City Hall to Church Street, with Liberty Street traffic being allowed only a right turn access onto North James Street, heading south, on Friday, December 4, 2009, between the hours of 4:30 p.m. and 9:00 p.m., said street closings to accommodate the annual Winter Holiday Christmas Tree Lighting Ceremony, and

BE IT FURTHER ORDAINED, that the City Clerk is hereby directed to transmit a copy of this Ordinance to the Chiefs of the Police and Fire Departments, and

BE IT FURTHER ORDAINED, that this authorization shall take effect upon the placement of the appropriate barriers at each end of the affected areas.

Seconded by Councilor Sparace
By Councilor Casadei

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No.8529

Seconded by Councilor Darcangelo

AYES: Sparace, Varano, Smith, Casadei, Darcangelo, Vescio
NAYS: None
EXCUSED: Petty

ORDINANCE NO. 8529

AYES: Sparace, Varano, Smith, Casadei, Darcangelo, Vescio
NAYS: None
EXCUSED: Petty
ADOPTED: OCTOBER 28, 2009

♦
OCTOBER 28, 2009

LOCAL LAW NO. D (5) OF 2009 TABLED

AUTHORIZING THE CITY OF ROME TO
APPROVE THE CONSOLIDATION OF
THE ROME EMPIRE ZONE
ADMINISTRATIVE BOARD
WITH THE ONEIDA COUNTY EMPIRE
ZONE ADMINISTRATIVE BOARD
AND TO APPROVE THE ONEIDA
COUNTY / ROME EMPIRE ZONE
ADMINISTRATIVE BOARD
REPRESENTATION AND
DESIGNATION AUTHORITY

♦ ♦ ♦
Motion to adjourn by Vescio, seconded by Darangelo and so ordered October 28, 2009.

♦ ♦ ♦
PUBLIC NOTICE

Notice is hereby given that the fiscal affairs of the City of Rome, New York for the year beginning on January 1 and ending on December 31, 2010, have been examined by Office of State Comptroller and that the report of and management letter prepared in conjunction with the external audit has been filed in my office where it is available as a public record for inspection by all interested persons. Pursuant to §35 of the General Municipal Law, the governing Common Council of the City of Rome, New York may, in its discretion, prepare a written response to the report of external audit or management letter by independent public accountant and file any such response in my office as a public record for inspection by all interested persons no later than November 9, 2009.

Louise S. Glasso, CMC
Rome City Clerk

Rome Daily Sentinel
To Appear: October 29, 2009
Dated: October 27, 2009
One (1) time only
♦ ♦ ♦

PROCEEDINGS**PUBLIC HEARING**

BE IT RESOLVED, that the City Clerk is hereby authorized and directed to advertise in the official newspaper of the City of Rome, notice of a public hearing regarding the consolidation of the Rome Empire Zone Administration Board with the Oneida County Empire Zone Administration Board, said public hearing to be held on the 18th day of November, 2009, at the Common Council Chambers, 2nd floor, Rome City Hall at 7:20 p.m., at which time all interested parties will be heard thereon.

Louise S. Glasso, CMC
City Clerk

Rome Sentinel Co.

To Appear: November 9, 2009

Dated: October 29, 2009

One (1) time

Speakers:

Peter Zawko – Mohawk Valley Edge – asking council support

♦ ♦ ♦

**COMMON COUNCIL MEETING
REGULAR SESSION
PROCEEDINGS**

**NOVEMBER 18, 2009
7:30PM**

PRESENT: Sparace, Smith, Casadei, Darcangelo

EXCUSED: Varano, Petty

ABSENT: Vescio

PLEDGE OF ALLEGIANCE**INVOCATION by President Mazzaferro****GENERAL PUBLIC HEARING**

Joe Sallustio – 1212 N. James St. – Contacted the DEC and Oneida County Department of Health regarding problems residents are having along Rt. 233 with well water. The DEC and Oneida County Department of Health are not aware of any problems. City officials make taxpayers liable for their decisions.

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Casadei seconded by Sparace that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.**A. PETITIONS****B. COMMUNICATIONS.**

The following businesses have notified the City Clerk's Office of their intention to renew liquor licenses:

Rhine Haus II
Friday's Sports Bar Tavern
Sammy G's
(Received & filed)

513 W. Dominick St.
106 DeAngelo Ave.
417 W. Dominick St.

Senior Citizen Council's financial report for quarter ended 9-30-09
On file City Clerk's Office

Rome Historical Society' financial report for quarter ended 9-30-09
On file City Clerk's Office

REPORT OF CITY OFFICIALS

Tallarino – Asking council to defeat Res. No. 163

Glasso – Asking support for Ord. No. 8532 pertaining to Peddlers/Transient Merchants.
Thanking Diane Martin-Grande & Gerard Feeney for their help with this legislation

NOVEMBER 18, 2009

RESOLUTION NO. 186

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND TRAINING SEMINAR ON
DECEMBER 3 - 4, 2009.

By Councilor Casadei

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department personnel, namely, Chief Kevin Beach, Deputy Chief Kevin Simons and Sergeant Steve Armstrong, be and are hereby authorized to attend a two-day training seminar entitled "Law Enforcement Executive Seminar – Human Resource Management and Legal Updates", to be held in Utica, New York on December 3 - 4, 2009. This training is sponsored by the New York State Department of Criminal Justice Services, and is offered without registration cost, with the only anticipated expense being \$30.00 for lunch reimbursement.

Seconded by Councilor Sparace

AYES: Sparace, Smith, Casadei, Darcangelo

NAYS: None
EXCUSED: Varano, Petty
ABSENT: Vescio
ADOPTED: NOVEMBER 18, 2009

NOVEMBER 18, 2009

RESOLUTION NO. 187

CANCELLING THE DECEMBER 9, 2009
AND DECEMBER 23, 2009
COMMON COUNCIL MEETINGS AND
SCHEDULING A COMMON COUNCIL
MEETING FOR DECEMBER 16, 2009.

By Councilor Casadei:

WHEREAS, Common Council President John J. Mazzaferro has requested that the Common Council meetings currently scheduled for December 9, 2009 and December 23, 2009 be cancelled, now, therefore,

BE IT RESOLVED, that the Common Council meetings originally scheduled for December 9, 2009 and December 23, 2009, be and the same are hereby cancelled, and

Seconded by Councilor Darcangelo ♦

AYES: Sparace, Smith, Casadei, Darcangelo

NAYS: None

EXCUSED: Varano, Petty

ABSENT: Vescio

ADOPTED: NOVEMBER 18, 2009

♦

NOVEMBER 18, 2009

RESOLUTION NO. 188

AUTHORIZING THE APPOINTMENT OF
LOUISE S. GLASSO AS A MARRIAGE
OFFICER PURSUANT TO CHAPTER 2,
ARTICLE IV OF THE ROME
CODE OF ORDINANCES.

By Councilor Casadei:

WHEREAS, Chapter 2, Article IV, Division 2, Section 2-266 et seq., of the Rome Code of Ordinances authorizes the Common Council, upon receipt of a written request, to appoint any former Mayor having a residence within the City of Rome, or City Clerk currently holding office, to act as a marriage officer in and for the City of Rome, and

WHEREAS, Rome City Clerk Louise S. Glasso has petitioned the Council and requested continuation of her appointment as a marriage officer, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that Louise S. Glasso be and is hereby appointed as a marriage officer within the City of Rome, New York for a period of one (1) year commencing on January 1, 2010.

Seconded by Councilor Darcangelo

AYES: Sparace, Smith, Casadei, Darcangelo

NAYS: None

EXCUSED: Varano, Petty

ABSENT: Vescio

ADOPTED: NOVEMBER 18, 2009

NOVEMBER 18, 2009

RESOLUTION NO. 189

AUTHORIZING THE APPOINTMENT OF
JOHN J. MAZZAFERRO
AS A MARRIAGE OFFICER PURSUANT
TO CHAPTER 2, ARTICLE IV OF THE
ROME CODE OF ORDINANCES.

By Councilor Casadei:

WHEREAS Chapter 2, Article IV, Division 2, Section 2-266 et seq., of the Rome Code of Ordinances authorizes the Common Council, upon receipt of a written request, to appoint any former Mayor having a residence within the City of Rome, or City Clerk currently holding office, to act as a marriage officer in and for the City of Rome, and

WHEREAS, former Mayor John J. Mazzaferro, currently serving as President of the Common Council, has petitioned the Council and requested continuation of his appointment as a marriage officer, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that John J. Mazzaferro be and is hereby appointed as a marriage officer within the City of Rome, New York for a period of one (1) year commencing on January 1, 2010.

Seconded by Councilor Sparace

AYES: Sparace, Smith, Casadei, Darcangelo

NAYS: None

EXCUSED: Varano, Petty

ABSENT: Vescio

ADOPTED: NOVEMBER 18, 2009

♦

NOVEMBER 18, 2009

By Councilor Casadei:

RESOLUTION NO. 190

**AUTHORIZING AN APPOINTMENT TO
THE RECORDS ADVISORY BOARD
FOR THE CITY OF ROME, NEW YORK.**

By Councilor Casadei:

WHEREAS, City Clerk Louise S. Glasso has recommended the appointment of two individuals to the Records Advisory Board for the City of Rome for a three year term, now, therefore,

BE IT RESOLVED, pursuant to City of Rome Code of Ordinances, Article VI Public Records, Section 2-464, the Common Council of the City of Rome, New York hereby appoints for a term of three years the following individuals to the Records Advisory Board for the City of Rome, New York:

Ann Swanson, c/o Rome Historical Society, Rome, New York and

Keith Butters, 110 Dwight Drive, Rome, New York

Term: January 1, 2010 to January 1, 2013.

Seconded by Councilor Darcangelo

AYES: Sparace, Smith, Casadei, Darcangelo

NAYS: None

EXCUSED: Varano, Petty

ABSENT: Vescio

ADOPTED: NOVEMBER 18, 2009

♦

NOVEMBER 18, 2009

RESOLUTION NO. 191

**AUTHORIZING AN APPOINTMENT TO
THE TAXI CAB COMMITTEE
FOR THE CITY OF ROME, NEW YORK.**

WHEREAS, City Clerk Louise S. Glasso has recommended the appointment of an individual to the Taxi Cab Committee for the City of Rome for a one year term, now, therefore,

BE IT RESOLVED, pursuant to City of Rome Code of Ordinances, Article III, Section 78-63, the Common Council of the City of Rome, New York hereby appoints for a term of three years the following individual to the Taxi Cab Committee for the City of Rome, New York:

Linda Iannotti, 413 Floyd Avenue, Rome, New York

Term of Office: January 1, 2010 to January 1, 2013.

Seconded by Councilor Sparace

AYES: Sparace, Smith, Casadei, Darcangelo

NAYS: None

EXCUSED: Varano, Petty

ABSENT: Vescio

ADOPTED: NOVEMBER 18, 2009

♦

NOVEMBER 18, 2009

RESOLUTION NO. 192

**AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND TRAINING SEMINAR ON
JANUARY 13, 2010.**

By Councilor Casadei

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome Police Department personnel, namely, Sergeants Michael Yoxall, John Reilly, Steve Armstrong, Dominic Corigliano and Mark Liddy, Detective Eric Sochia and

Senior Investigator Jon Carr, be and are hereby authorized to attend a one-day training seminar entitled "Child Fatality and Serious Physical Injury Child Abuse Investigations", to be held in Utica, New York on January 13, 2010. This training is sponsored by the New York State Department of Criminal Justice Services, and is offered without registration cost, with the only anticipated expense being \$35.00 for lunch reimbursement.

Seconded by Councilor Sparace

AYES: Sparace, Smith, Casadei, Darcangelo

NAYS: None

EXCUSED: Varano, Petty

ABSENT: Vescio

ADOPTED: NOVEMBER 18, 2009

♦

NOVEMBER 18, 2009

RESOLUTION NO. 193

**AUTHORIZING ROME CITY CLERK TO
ATTEND GRANTS TRAINING
WORKSHOP ON DECEMBER 7, 2009.**

By Councilor Casadei

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Louise S. Glasso, Rome City Clerk, be and is hereby authorized to attend a one-day training workshop entitled "The Third Annual Grant Training Program", to be held in Utica, New York on December 7, 2009. This training is a 24th Congressional District Grants Training Workshop, with a registration cost of \$40.00, which also includes lunch and an information packet.

Seconded by Councilor Darcangelo

AYES: Sparace, Smith, Casadei, Darcangelo

NAYS: None

EXCUSED: Varano, Petty

ABSENT: Vescio

ADOPTED: NOVEMBER 18, 2009

♦

NOVEMBER 18, 2009

RESOLUTION NO. 194

**AUTHORIZING THE MAYOR TO
ENTER INTO AN AGREEMENT
WITH THE COUNTY OF ONEIDA
DEPARTMENT OF SOCIAL SERVICES
WITH REGARD TO THE CHILD
ADVOCACY CENTER.**

By Councilor Casadei:

BE IT RESOLVED, by the Common Council of the City of Rome, that the Mayor of the City of Rome be and is hereby authorized to enter into an agreement with the County of Oneida Department of Social Services with regard to the Child Advocacy Center, whereby one Rome Police Officer shall be assigned to participate in the County's Child Advocacy Center, and

BE IT FURTHER RESOLVED, that the City of Rome shall be reimbursed for eighty percent (80%) of the cost for providing such personnel in an amount not to exceed the reimbursable sum of Sixty-Seven Thousand Nine Hundred and 00/100 Dollars (\$67,900.00), and

BE IT FURTHER RESOLVED, that the term of this Agreement shall extend from January 1, 2010 to December 31, 2010.

Seconded by Councilor Darcangelo

AYES: Sparace, Smith, Casadei, Darcangelo

NAYS: None

EXCUSED: Varano, Petty

ABSENT: Vescio

ADOPTED: NOVEMBER 18, 2009

♦

NOVEMBER 18, 2009

ORDINANCE NO. 8530

AMENDING ORDINANCE NO. 8475
ADOPTED MARCH 25, 2009,
RELATIVE TO PARKING
RESTRICTIONS ON BOUCK STREET,
NORTH OF ACE PLACE.

By Councilor Casadei:

WHEREAS, the Common Council previously adopted Ordinance No. 8475 on March 25, 2009, which Ordinance provided that parking was to be prohibited on Bouck Street, north of Ace Place, on the east side of the roadway adjacent to St. John's Church, and

WHEREAS, Third Ward Councilor Angela Petty has requested that the aforesaid Ordinance be amended whereby the aforesaid parking restriction will be in effect on Mondays through Saturdays only and between the hours of 9:00 a.m. through 1:00 p.m. only, and

WHEREAS, James F. Masucci, Commissioner of Public Safety for the City of Rome, following a study of the traffic conditions, and in consideration of discussions with the property owners involved, recommends that Ordinance No. 8475 adopted March 25, 2009 be amended to restrict the days of the week and hours of the day that no parking is allowed on Bouck Street, north of Ace Place, on the east side of the roadway adjacent to St. John's Church, whereby parking would be allowed between the hours of 9:00 a.m. through 1:00 p.m. on Mondays through Saturdays only, and

WHEREAS, the aforesaid parking restrictions on Bouck Street will help to alleviate concerns regarding access to St. John's Church, now, therefore,

BE IT ORDAINED, that Ordinance No. 8475 adopted March 25, 2009 be and is hereby amended whereby the "No Parking" signs on the northerly side of Bouck Street, north of Ace Place, on the east side of the roadway adjacent to St. John's Church, shall state that the parking restriction is in effect between the hours of 9:00 a.m. through 1:00 p.m. on Mondays through Saturdays only, pursuant to Public Safety Commissioner James F. Masucci's memorandum dated October 6, 2009, attached hereto and by this reference made a part hereof, and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon the posting of the proper signage reflecting the parking restriction, per the map attached hereto and by this reference made a part hereof.

Seconded by Councilor Darcangelo
By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8530

Seconded by Councilor Smith

AYES: Sparace, Smith, Casadei, Darcangelo
NAYS: None
EXCUSED: Varano, Petty
ABSENT: Vescio

ORDINANCE NO. 8530
AYES: Sparace, Smith, Casadei, Darcangelo
NAYS: None
EXCUSED: Varano, Petty
ABSENT: Vescio
ADOPTED: NOVEMBER 18, 2009

♦

NOVEMBER 18, 2009

ORDINANCE NO. 8531

AUTHORIZING THE CITY OF ROME TO
ENTER INTO A LEASE AGREEMENT
WITH THE ROME ART & COMMUNITY
CENTER FOR CITY OWNED
PROPERTY LOCATED AT 308 WEST
BLOOMFIELD STREET,
ROME, NEW YORK.

By Councilor Casadei:

WHEREAS, Frank D. Tallarino, Jr., Commissioner of Public Works for the City of Rome, has recommended that the City of Rome enter into an agreement with the Rome Art & Community Center, whereby the City of Rome shall lease to the Rome Art & Community Center the City owned property located at 308 West Bloomfield Street, for a lease term of January 1, 2010 through December 31, 2010, and

WHEREAS, Rome City Charter Laws, Title A, Article IV, Section 33, states that all leases of city property shall be approved by the City of Rome Common Council, now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome that the Mayor of the City of Rome is authorized to execute an agreement with the Rome Art & Community Center, to lease to said entity the premises known as 308 West Bloomfield Street, Rome, New York, for a lease term from January 1, 2010 through December 31, 2010.

Seconded by Councilor Darcangelo
By Councilor Sparace

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8531

Seconded by Councilor Smith

AYES: Sparace, Smith, Casadei, Darcangelo
NAYS: None
EXCUSED: Varano, Petty
ABSENT: Vescio

ORDINANCE NO. 8531

AYES: Sparace, Smith, Casadei, Darcangelo
NAYS: None
EXCUSED: Varano, Petty
ABSENT: Vescio
ADOPTED: NOVEMBER 18, 2009

♦

WAIVE RULE SIX

NOVEMBER 18, 2009

Motion to WR6* by Casadei, seconded by Sparace and so ordered November 18, 2009

ORDINANCE NO. 8532*

AMENDING ROME CODE OF
ORDINANCES,
CHAPTER 18, ARTICLE VI,
REGARDING PEDDLERS
AND TRANSIENT MERCHANTS.

By Councilor Casadei:

WHEREAS, pursuant to General City Law, § 20(10), the City of Rome Common Council (hereinafter "City") may grant the right to use the streets, public ways and public places of the City to persons or entities, and

WHEREAS, pursuant to General City Law, §§ 20(13) and 20(22), the City has the authority to regulate and license occupations and businesses, to regulate by ordinance any matter within the powers of the City, and to provide penalties for violations thereof, and

WHEREAS, pursuant to General Business Law, §35, the City has the authority to regulate and permit any

person/entity hawking or selling goods within the City's streets, sidewalks and rights-of-way, and

WHEREAS, pursuant to Charter Laws of the City of Rome, §25(24), the City has the authority to regulate and permit any person/entity hawking or selling goods within the City's streets, sidewalks and rights-of-way, and

WHEREAS, the City of Rome Code of Ordinances ("Rome Code"), Chapter 18, Article VI--Peddlers and Transient Merchants, sets forth the requirement that any person, organization, corporation or association ("Peddler" or "Peddlers") wishing to sell or hawk their goods, wares or merchandise from any cart, stand or vehicle within the City's streets, sidewalks or rights-of-way must first obtain a permit from the

Rome City Clerk authorizing said activity (hereinafter "Peddler's Permit"), and

WHEREAS, Councilor Ronald Casadei, 5th Ward, and Louise S. Glasso, Rome City Clerk, recommend that the Common Council adopt legislation setting forth further definitions relative to solicitors, and further clarification regarding license fees, and that the appropriate amendments be made to the Rome Code of Ordinances, now, therefore,

BE IT ORDAINED, by the City of Rome Common Council that the Chapter 18, Article VI, Division 3, of the Rome Code of Ordinances, setting forth regulations relating to peddler's within the City of Rome, be and is hereby amended as follows:

CHAPTER 18. BUSINESSES

DIVISION 1. GENERALLY

Sec. 18-236. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Solicitor means any person, whether as owner, agent, consignee or employee temporarily traveling either by foot, wagon, cart, truck, automobile or any other conveyance from place to place, house to house or from street to street, taking or attempting to take orders for the sale of goods, wares, merchandise or services to be furnished or performed in the future, whether or not such individual has, carries or exposes for sale a sample of such items or collects advance payments on sales.

Division 2. PERMIT AND REGISTRATION

Sec. 18-266. Required.

Except as expressly provided in this division, it shall be unlawful for any person to vend, sell, offer to sell, [or] hawk **or to take or attempt to take orders for** any goods, wares, [or] merchandise **or services, whether said goods, wares, merchandise or services are delivered at the time of the transaction or in the future,** from any stand, cart, or vehicle of any kind that is located on any street, sidewalk, intersection or public square in the city, or [to vend, sell, offer to sell, or hawk any goods, wares or merchandise] from door to door or house to house in the city, without first registering with and obtaining a permit from the city clerk.

Sec. 18-267. Contents of application for permit.

(a) Any person desiring to conduct the business of a peddler **or solicitor**, as defined in section 18-236, within the city shall first file a written application for a permit to conduct such business with the city clerk. Such application shall be on a form provided by the city and shall contain the following information:

- (1) The name, residence and age of the applicant;
 - (2) The name and address of the person the applicant represents;
 - (3) The location or places where the applicant has been in business during the last six months;
 - (4) The kind of goods, wares, **services** or foodstuffs the applicant desires to vend, sell or peddle;
 - (5) The method of distribution of the goods, wares, **services** or foodstuffs;
 - (6) The names and addresses of three character references to be checked by the police department; and
 - (7) If the applicant is to offer any kind of foodstuff for sale, the appropriate certificate from the county health department indicating that the applicant's cart or vehicle used to convey the foodstuffs is in compliance with all applicable regulations and has been inspected by the health department.
- (b) The applicant must furnish sufficient proof identifying the applicant as the person named in the application.
- (c) If the applicant intends to use a vehicle, he must supply the registration number and identification number of the vehicle to be used.

Sec. 18-268 Permit Fees.

Under this division, the fee for obtaining a one-day permit and the fee for obtaining an annual permit shall be as listed in the schedule of fees in appendix b to this code. **The fee for a peddler's license, solicitor's license or combined peddler's and solicitor's license issued shall be the same as set by the common council. In the event of inclement weather, the permit fee will not be reduced, pro-rated or refunded.**

Sec. 18-276 Opt Out Registry.

City of Rome residents who do not wish to be visited by peddlers and/or solicitors may file notice with the Rome City Clerk's office. The addresses only of all such residents opting out will be maintained by the Rome City Clerk's office and will be given to all future peddlers and solicitors.

Sec. 18-305. Required conduct.

- (a) Every peddler and solicitor shall maintain the area immediately surrounding his pushcart or vehicle in a clean manner.
- (b) Each peddler or solicitor selling or offering for sale foodstuffs for immediate consumption shall provide at least one (1) trash receptacle for the disposal of refuse. He shall be required to maintain the receptacle as provided and shall not allow the receptacle to become so filled as to overflow onto the ground, sidewalk or street.
- (c) Every peddler or solicitor selling or offering to sell foodstuffs shall maintain his pushcart or vehicle in compliance with all regulations of the county health department and the state health codes.

(d) Unless business is conducted pursuant to a special event authorized hereunder at §18-270 and, upon receipt of requisite permits, it shall otherwise be unlawful for any peddler **or solicitor** to conduct door-to-door business at times other than **[between the hours of 9:00 a.m. and 7:00 p.m., Monday through Saturday. No peddler shall conduct business within the City of Rome on Sunday] during daylight hours.**

and,

BE IT FURTHER ORDAINED, by the Common Council that this Ordinance shall take effect immediately upon approval by the Common Council.

Seconded by Councilor Sparace
By Councilor Darcangelo

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No.8532

Seconded by Councilor Smith

AYES: Sparace, Smith, Casadei, Darcangelo
NAYS: None
EXCUSED: Varano, Petty
ABSENT: Vescio

ORDINANCE NO. 8532
AYES: Sparace, Smith, Casadei, Darcangelo
NAYS: None
EXCUSED: Varano, Petty
ABSENT: Vescio
ADOPTED: NOVEMBER 18, 2009

Language in **bold print and underlined** is to be added.
Language **[in bold print and brackets]** is to be deleted.

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SEPTEMBER 23, 2009

RESOLUTION NO. 163 DEFEATED

AUTHORIZING THE MAYOR OF THE CITY OF ROME TO SUBMIT AN APPLICATION FOR GRANT FUNDING TO THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (NYSERDA) FOR FUNDING FOR THE INSTALLATION OF SOLAR PANELS AT ROME CITY HALL.

By Councilor Vescio:

BE IT RESOLVED, Frank D. Tallarino, Jr., Commissioner of Public Works for the City of Rome has recommended that the City of Rome submit a grant application for funds from the New York State Energy Research and Development Authority (NYSERDA), for grant funding to install solar panels totaling 24kW at Rome City Hall. The total anticipated cost for installation of the aforesaid said solar panels is approximately \$160,000.00, of which the NYSDERA grant will pay \$120,000.00. The City of Rome will attempt to offset the remaining cost of installation of the solar panels with additional federal grants, with an estimated annual savings to the City of Rome of \$3,500.00 annually.

Seconded by Councilor Varano

Motion to TABLE by Varano, seconded by Vescio and so ordered September 23, 2009
Motion to Remove from TABLE by Casadei, seconded by Darcangelo and so ordered November 18, 2009

AYES: None
NAYS: Sparace, Smith, Casadei,
Darcangelo
EXCUSED: Varano, Petty
ABSENT: Vescio
DEFEATED: NOVEMBER 18, 2009

♦
OCTOBER 28, 2009

LOCAL LAW NO. 5 OF 2009

AUTHORIZING THE CITY OF ROME TO
APPROVE THE CONSOLIDATION OF
THE ROME EMPIRE ZONE
ADMINISTRATIVE BOARD
WITH THE ONEIDA COUNTY EMPIRE
ZONE ADMINISTRATIVE BOARD
AND TO APPROVE THE ONEIDA
COUNTY / ROME EMPIRE ZONE
ADMINISTRATIVE BOARD
REPRESENTATION AND
DESIGNATION AUTHORITY

By Councilor Smith:

WHEREAS, through several pieces of legislation outlined herein below, this legislative body has established and revised the boundaries of the City of Rome Empire Zone namely, Common Council Resolution No. 39 adopted February 23, 1994; Resolution No. 128 adopted October 11, 1995; Resolution No. 91 adopted June 26, 1996; Resolution No. 125 adopted October 23, 1996; Resolution No. 86A adopted July 28, 1999; Resolution No. 117A adopted November 5, 1999; Resolution No. 126A adopted October 25, 2000, Local Law 1(A) of 2001 adopted April 11, 2001, Resolution No. 97A adopted August 28, 2002, Local Law No. 4(E) of 2002A adopted October 9,

2002, Local Law No. F (7) of 2003 A, and Local Law No. 7A of 2005. Copies of each are on file in the Office of the Rome City Clerk, and

WHEREAS, the City of Rome authorized its Department of Planning & Community Development to prepare and submit the original application for designation of the Empire Zone, pursuant to Section 961 of the General Municipal Law, and the creation of such Zone was approved by the New York State Commissioner of Economic Development and such Zone was formally designated by the Empire Zones Designation Board on February 28, 1994, and

WHEREAS, the Rome Empire Zone Administrative Board has approved the designation of Mohawk Valley Economic Development Growth Enterprises (EDGE) as the administrative entity of the Rome Empire Zone [as EDGE is already approved as the administrative entity of the Oneida County Empire Zone], and

WHEREAS, Mohawk Valley EDGE, as the single administrative entity, wishes to consolidate the Rome and Oneida County Empire Zone Administrative Boards to further consolidate and reduce the duplication of services, and

WHEREAS, such a consolidation would fiscally benefit the City of Rome while maintaining services for existing Empire Zone certified businesses and encouraging new businesses to locate in the Rome Empire Zone, and

NOW, THEREFORE, BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF ROME, as follows:

Section 1. The City of Rome does hereby authorize and concur with Oneida County that the City of Rome Empire Zone Administrative Board and the Oneida County Empire Zone Administrative Board will be consolidated to one Empire Zone Administrative Board.

Section 2. The Chairperson of the Oneida County / Rome Empire Zone Administrative Board shall be appointed by the Oneida County Executive and shall preside at all meetings as well as serve as the Chief Executive Officer of the ZAB. The Chairperson shall be responsible for executing all agreements, contracts or other instruments as required for administering the functions of the Empire Zones.

Section 3. The Vice Chairperson of the Oneida County / Rome Empire Zone Administrative Board shall be appointed by the Mayor of Rome and shall perform such other duties as the ZAB shall prescribe or as delegated by the Chairperson.

Section 4. Pursuant to the repeal of Section 963(a) of the General Municipal Law, the position of Empire Zone Certification Officer has been eliminated in all NYS Empire Zones.

Section 5. Pursuant to Article 18-B, Section 957(e), of the General Municipal Law, as amended, the Oneida County / Rome Empire Zone Administrative Board will henceforth consist of nine (9) individuals, to be comprised and designated as follows:

- a) One (1) Oneida County representative as designated by the Oneida County Executive for an initial term of one (1) year; and
- b) One (1) City of Rome representative as designated by the Mayor of Rome for an initial term of one (1) year; and
- c) One (1) representative of Oneida County businesses as designated by the Oneida County Executive for an initial term of two (2) years; and
- d) One (1) representative of Rome businesses as designated by the Mayor of Rome for an initial term of two (2) years; and
- e) One (1) representative of organized labor as designated by the Oneida County Executive for an initial term of three (3) years; and
- f) One (1) representative from a educational institution as designated by the Oneida County Executive for an initial term of three (3) years; and
- g) One (1) representative of a locally based community organization as designated by the Oneida County Executive for initial term of three (3) years; and
- h) One (1) zone resident as designated by the Oneida County Executive for an initial term of one (1) year; and
- i) One (1) representative from a locally based financial institution as designated by the Oneida County Executive for an initial term of two (2) years.

Section 6. That, upon the organizational meeting of the Oneida County / Rome Empire Zone Administrative Board, there will be a minimum of five (5) appointed members; the initial terms of each member shall be entirely served or served retroactive to January 1 of the calendar year in which the organizational meeting is held; subsequent regular terms of all members shall be three years.

Section 7. Upon the calling to order of the organizational meeting of the Oneida County / Rome Empire Zone Administrative Board, the individual Rome and Oneida County Empire Zone Administrative Boards will be dissolved.

BE IT FURTHER ENACTED, that the Oneida County / Rome Empire Zone Administrative Board, pursuant to Section 963(a) of the General Municipal Law, as amended, shall recommend applicant businesses to the New York State Commissioner of Economic Development for final approval and to be eligible for benefits referred to in Section 966 of the General Municipal Law as amended, and shall perform all other duties required of it pursuant to Section 963(b) of the General Municipal Law, as amended,

Section 8. This local law shall take effect upon filing in the Office of the

Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

Seconded by Councilor Vescio

Motion to TABLE by Vescio, seconded by Darcangelo and so ordered October 28, 2009
Motion to Remove from TABLE by Casadei, seconded by Sparace and so ordered November 18, 2009

AYES: Sparace, Smith, Casadei, Darcangelo

NAYS: None

EXCUSED: Varano, Petty

ABSENT: Vescio

ADOPTED: NOVEMBER 18, 2009

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Motion to adjourn by Casadei, seconded by Darcangelo and so ordered November 18, 2009.

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**COMMON COUNCIL MEETING
REGULAR SESSION
PROCEEDINGS**

**DECEMBER 16, 2009
7:30PM**

PRESENT: Sparace, Smith, Casadei, Vescio

EXCUSED: Varano, Petty

ABSENT: Vescio

PLEDGE OF ALLEGIANCE

INVOCATION by President Mazzaferro

GENERAL PUBLIC HEARING

Joe Sallustio 1212 N. James St. – Against water meters in the City of Rome. No proof that water meters conserve on consumption.

Kylie Pierce – 339 Nassau St. – Original 1939 Ticket Booth that use to be in front of the Capitol Theatre will be back in place on December 19th. The ribbon cutting is scheduled for 1:30pm and the public is invited.

Lt. Bielby – Rome Police – Graduation Ceremony for the Police Academy is scheduled for December 17th @ 6:30pm in the Common Council Chambers.

READING OF THE MINUTES OF THE PRECEDING SESSION

Motion by Casadei, seconded by Sparace that the reading of the minutes of the preceding session be dispensed with and that they be approved.

PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

The following businesses have notified the City Clerk's Office of their intention to renew liquor licenses:

Applebee's Neighborhood Grill & Bar
(Received & filed)

1794 Black River Blvd.

Kevin Mowry notified the Clerk's Office of alterations to Philly's Neighborhood Bar & Grill, formerly the Elbow Room at 415 W. Dominick St., Rome, NY

♦ ♦ ♦

DECEMBER 16, 2009

DECEMBER 16, 2009

RESOLUTION NO. 195

RESOLUTION NO. 196

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND TRAINING SEMINAR ON
JANUARY 4 – 8, 2010.

AUTHORIZING THE MAYOR TO
ENTER INTO AN
INTER-MUNICIPAL AGREEMENT
WITH THE ONEIDA COUNTY
DEPARTMENT OF SOCIAL SERVICES.

By Councilor Smith:

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Patrolman Robert Pinti of Rome Police Department, be and is hereby authorized to attend a one-week training seminar entitled "Computer Forensics and Forfeiture for Child Exploitation Investigators Seminar", to be held in Columbia, South Carolina on January 4 – 8, 2010. This training is sponsored by the Department of Justice and the National Advocacy Center, and is offered without cost to the City of Rome, New York.

WHEREAS, City of Rome Treasurer Frank Puma and Chief Code Enforcement Officer Mark Domenico have recommended that the City of Rome enter into an agreement for housing inspection services for Social Services clients with the Oneida County Department of Social Services, and

WHEREAS, said agreement shall allow the City of Rome, through its Code Enforcement Office, to participate in a Housing Improvement Program sponsored by the Oneida County Department of Social Services, which program strives to improve the quality, affordability and adequacy of housing for Social Services clients in the City of Rome, and

Seconded by Councilor Sparace.

WHEREAS, through the aforesaid agreement the County of Oneida shall

AYES: Sparace, Smith, Casadei, Darcangelo
NAYS: None
EXCUSED: Varano, Petty
ABSENT: Vescio
ADOPTED: DECEMBER 16, 2009

♦

reimburse the City of Rome in a total amount not to exceed \$122,325.00, for the term of this Agreement, with the responsibility of the City of Rome not to exceed \$40,775.00, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that it does hereby authorize the Mayor of the City of Rome to enter into an agreement with the Oneida County Department of Social Services from January 1, 2010 to December 31, 2010, to provide housing inspection services for Social Services clients, and

BE IT FURTHER RESOLVED, that the City of Rome shall be reimbursed by the County of Oneida in a total amount not to exceed \$122,325.00, with the responsibility of the City of Rome not to exceed \$40,775.00, for the term of this agreement, from January 1, 2010 to December 31, 2010.

Seconded by Councilor Darcangelo

AYES: Sparace, Smith, Casadei, Darcangelo
NAYS: None
EXCUSED: Varano, Petty
ABSENT: Vescio
ADOPTED: DECEMBER 16, 2009

♦

DECEMBER 16, 2009

RESOLUTION NO. 197

AUTHORIZING CITY OF ROME
DEPARTMENT OF ENGINEERING
PERSONNEL TO ATTEND NEW YORK
STATE ASSOCIATION OF
PROFESSIONAL LAND SURVEYORS
CONFERENCE ON
JANUARY 13 – 15, 2010.

By Councilor Casadei

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, George Ferguson, Engineer II, Department of Engineering for the City of Rome, be and is hereby authorized to attend the NYSAPLS 51st Annual Conference, to be held at the Turning Stone Resort, Verona, New York, on January 13 – 15, 2010. The registration fee for attendance is in the amount of \$285.00, plus meal reimbursement in the approximate amount of \$45.00.

Seconded by Councilor Sparace

AYES: Sparace, Smith, Casadei, Darcangelo
NAYS: None
EXCUSED: Varano, Petty
ABSENT: Vescio
ADOPTED: DECEMBER 16, 2009

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DECEMBER 16, 2009

RESOLUTION NO. 198 DEFEATED

AUTHORIZING DEPARTMENT OF
PUBLIC WORKS PERSONNEL TO
ATTEND A SUPERVISION TRAINING
COURSE FOR WATER TREATMENT
PLANT OPERATORS.

By Councilor Smith:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Tom Andrews, Water Supply Operator, and Robert Samuels, Water Supply Maintenance Supervisor, City of Rome Department of Public Works, Water Filtration Plant, be and are hereby authorized to attend a Supervision Training Course for Water Treatment Plant Operators, to be held at Morrisville State College in Morrisville, New York, on January 26 – 29, 2010. This course is specifically job-related and is a required component of obtaining a Class 1A Water Treatment Operator Certification.

The registration fee for each attendee will be \$500.00, plus reimbursement for lunch and mileage expenses.

Seconded by Councilor Sparace

Motion to adjourn for Executive Session by Darcangelo, seconded by Smith and so ordered December 16, 2009

Motion to return from Executive Session by Casadei, seconded by Darcangelo and so ordered December 16, 2009.

AYES: Smith

NAYS: Sparace, Casadei, Darcangelo

EXCUSED: Varano, Petty

ABSENT: Vescio

DEFEATED: DECEMBER 16, 2009

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DECEMBER 16, 2009

RESOLUTION NO. 199

COMMENDING CITY COUNCILOR
RONALD CASADEI FOR HIS YEARS
OF SERVICE AS A MEMBER OF
THE ROME COMMON COUNCIL.

By Councilor Sparace:

WHEREAS, Ronald Casadei served as Fifth Ward City Councilor for the City of Rome, New York since January of 2004, with his term of office concluding in December of 2009, and

WHEREAS, throughout his many years of service to the City of Rome, including his service as President Pro-Tempore of the Common Council during 2008-2009, Ronald Casadei was a dedicated City Councilor who served his constituents well, now, therefore,

BE IT RESOLVED, that the Common Council of the City of Rome, New York, by this Resolution does hereby express its appreciation to Mr. Casadei, and

does express its gratitude for his fine efforts during the past years, and

BE IT FURTHER RESOLVED, that the Common Council expresses its thanks to Ronald Casadei for a job well done, and wishes him well in his future endeavors, and

BE IT FURTHER RESOLVED, that the City Clerk shall transmit a copy of this Resolution to Ronald Casadei.

Seconded by Councilor Darcangelo

AYES: Sparace, Smith, Casadei, Darcangelo

NAYS: None

EXCUSED: Varano, Petty

ABSENT: Vescio

ADOPTED: DECEMBER 16, 2009

♦

DECEMBER 16, 2009

RESOLUTION NO. 200

COMMENDING CITY COUNCILOR
ANGELA PETTY FOR HER YEARS OF
SERVICE AS A MEMBER OF
THE ROME COMMON COUNCIL.

By Councilor Smith:

WHEREAS, Angela Petty served as Third Ward City Councilor for the City of Rome, New York since January of 1998, with her term of office concluding in December of 2009, and

WHEREAS, throughout her many years of service to the City of Rome, Angela Petty was a dedicated City Councilor who served her constituents well, now, therefore,

BE IT RESOLVED, that the Common Council of the City of Rome, New York, by this Resolution does hereby express its appreciation to Mrs. Petty, and does express its gratitude for her fine efforts during the past years, and

BE IT FURTHER RESOLVED, that the Common Council expresses its thanks to Angela Petty for a job well done, and wishes her well in her future endeavors, and

BE IT FURTHER RESOLVED, that the City Clerk shall transmit a copy of this Resolution to Angela Petty.

Seconded by Councilor Sparace

AYES: Sparace, Smith, Casadei, Darcangelo

NAYS: None

EXCUSED: Varano, Petty

ABSENT: Vescio

ADOPTED: DECEMBER 16, 2009

♦

DECEMBER 16, 2009

RESOLUTION NO. 201

COMMENDING CITY COUNCILOR
PHILIP VESCIO, JR. FOR HIS YEARS OF
SERVICE AS A MEMBER OF THE
ROME COMMON COUNCIL.

By Councilor Darcangelo:

WHEREAS, Philip Vescio, Jr. served as Seventh Ward City Councilor for the City of Rome, New York since January of 2004, with his term of office concluding in December of 2009, and

WHEREAS, throughout his many years of service to the City of Rome, Philip Vescio, Jr. was a dedicated City Councilor who served his constituents well, now, therefore,

BE IT RESOLVED, that the Common Council of the City of Rome, New York, by this Resolution does hereby express its appreciation to Mr. Vescio, and does express its gratitude for his fine efforts during the past years, and

BE IT FURTHER RESOLVED, that the Common Council expresses its thanks to Philip Vescio, Jr. for a job well done, and wishes him well in his future endeavors, and

BE IT FURTHER RESOLVED, that the City Clerk shall transmit a copy of this Resolution to Philip Vescio, Jr.

Seconded by Councilor Casadei

AYES: Sparace, Smith, Casadei, Darcangelo

NAYS: None

EXCUSED: Varano, Petty

ABSENT: Vescio

ADOPTED: DECEMBER 16, 2009

♦

DECEMBER 16, 2009

RESOLUTION NO. 202

COMMENDING CITY COUNCILOR
THOMAS VARANO
FOR HIS SERVICE AS A MEMBER OF
THE ROME COMMON COUNCIL.

By Councilor Casadei:

WHEREAS, Thomas Varano served as Second Ward City Councilor for the City of Rome, New York since January of 2008, with his term of office concluding in December of 2009, and

WHEREAS, throughout his term of office, Thomas Varano was a dedicated City Councilor who served his constituents well, now, therefore,

BE IT RESOLVED, that the Common Council of the City of Rome, New York, by this Resolution does hereby express its appreciation to Mr. Varano, and does express its gratitude for his fine efforts, and

BE IT FURTHER RESOLVED, that the Common Council expresses its thanks to

Thomas Varano for a job well done, and wishes him well in his future endeavors, and

ABSENT: Vescio

ADOPTED: DECEMBER 16, 2009

BE IT FURTHER RESOLVED, that the City Clerk shall transmit a copy of this Resolution to Thomas Varano.

DECEMBER 16, 2009

Seconded by Councilor Sparace

RESOLUTION NO. 204

AYES: Sparace, Smith, Casadei, Darcangelo

NAYS: None

EXCUSED: Varano, Petty

ABSENT: Vescio

ADOPTED: DECEMBER 16, 2009

AUTHORIZING THE MAYOR TO
ENTER INTO AN AGREEMENT WITH
ONEIDA COUNTY
STOP-DWI PROGRAM.

By Councilor Casadei:

WHEREAS, Kevin Beach, Chief of Police for the City of Rome, New York, has recommended that the City of Rome enter into an agreement with the Oneida County Stop-DWI Program, and

AUTHORIZING CITY OF ROME POLICE
DEPARTMENT PERSONNEL
TO ATTEND LAW ENFORCEMENT
SEMINAR ON JANUARY 7 – 8, 2010.

By Councilor Casadei:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, Police Chief Kevin Beach, Deputy Chief Kevin Simons, Captain Scott Wittmann and Sergeant Steve Armstrong of Rome Police Department, be and are hereby authorized to attend a two-day seminar entitled "Law Enforcement Seminar: Leadership and Ethics", to be held in Utica, New York on January 7 – 8, 2010. This training is sponsored by the Department of Criminal Justice Services, and is offered at no cost to the City of Rome, New York, with the exception of lunch reimbursement in the amount of \$40.00.

WHEREAS, said agreement will allow the City of Rome, through its Police Department, to participate with the Oneida County Stop-DWI Program, said program being the County-wide effort to reduce alcohol related traffic injuries and fatalities, and

WHEREAS, through the aforesaid agreement the County of Oneida shall reimburse the City of Rome up to the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00) for DWI Selective Enforcement Patrols, including salary and fringe benefits provided by the City of Rome Police Department, now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that it does hereby authorize the Mayor of the City of Rome to enter into an agreement with Oneida County Stop-DWI Program for the time period January 1, 2010 to December 31, 2010, and

Seconded by Councilor Darcangelo

AYES: Sparace, Smith, Casadei, Darcangelo

NAYS: None

EXCUSED: Varano, Petty

BE IT FURTHER RESOLVED, that pursuant to this agreement the City of Rome, through its Police Department, will fully

participate in and cooperate with the Oneida
County Stop-DWI Program.

DECEMBER 16, 2009

Seconded by Councilor Darcangelo

AYES: Sparace, Smith, Casadei, Darcangelo

NAYS: None

EXCUSED: Varano, Petty

ABSENT: Vescio

ADOPTED: DECEMBER 16, 2009

RESOLUTION NO. 205 TABLED

AUTHORIZING THE MAYOR OF THE
CITY OF ROME TO SUBMIT A
MODIFIED APPLICATION TO THE
DEPARTMENT OF STATE FOR THE
CITY OF ROME'S DOWNTOWN
BROWNFIELD OPPORTUNITY AREA
(BOA), ORIGINALLY AUTHORIZED
PURSUANT TO COMMON COUNCIL
RESOLUTION NO. 92
ADOPTED MAY 10, 2006.

Motion to adjourn by Casadei, seconded by Sparace and so ordered December 16, 2009.

